

Ajay

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL BAIL APPLICATION NO. 4460 OF 2024**

Deepak Pandurang Dalavi

.. Applicant

**Versus**

The State of Maharashtra

.. Respondent

- .....
- Mr. Mithilesh Mishra, Advocate i/by Mr. Vikram V. Tarepatil for Applicant.
  - Mr. Dinesh J. Haldankar, APP for Respondent – State.
- .....

**CORAM : MILIND N. JADHAV, J.**

**DATE : MARCH 11, 2025.**

**P.C.:**

- 1.** Mentioned at the time of rising of the Court.
- 2.** Heard Mr. Mishra, learned Advocate for Applicant and Mr. Haldankar, learned APP for Respondent – State.
- 3.** Mr. Mishra, learned Advocate for Applicant would submit that the case of the prosecution against the Applicant is that he was a collection agent and he amassed a substantial amount of Rs.5.59 crores from several depositors. He would draw my attention to the prosecution case in the charge-sheet and would submit that admittedly there are bank transactions to show that the entire amount of Rs.5.59 crores has been handed over by the present Applicant to Accused No.2 namely Mr. Dnyaneshwar Ghadge. He would submit that the

prosecution has registered 5 cases against Mr. Dnyaneshwar Ghadge wherein the present Applicant is shown as a depositor in one of the case and the recovery qua the present Applicant in that case is approximately Rs.3.85 crores.

**4.** He would submit that the prosecution has not arrested Mr. Dnyaneshwar Ghadge in the present crime and the Bail Application filed by the Applicant before the learned Special Court has been rejected solely on the ground that the Applicant can prove the trail of the amount of Rs.5.59 crores having been paid into the bank account of Mr. Dnyaneshwar Ghadge at the trial and it would not be appropriate at bail stage to look into the tracing of funds.

**5.** Today, Mr. Mishra, learned Advocate for Applicant has relied upon the bank entries between the Applicant and Accused No.2 namely Mr. Dnyaneshwar Ghadge with respect to the amount which is the subject matter of the present crime which are *prima facie* evident of the transfer of monies. He would submit that Applicant was working as an agent rather a collection agent and used to collect various amounts from the depositors in turn used to hand over the entire amount collected to Mr. Dnyaneshwar Ghadge in his bank account.

**6.** The aforesaid submissions made by Mr. Mishra shall be considered by the prosecution. Prosecution is expected to answer the above issue. Further the why Mr. Dnyaneshwar Ghadge is not arrested

if the money trail of the entire amount of Rs.5.59 crores is shown to have received by him through bank transactions by the Applicant can be seen and accordingly apprise the Court on the next adjourned date.

**7.** Copy of this order shall be served on the learned APP for the State by Mr. Mishra.

**8.** Stand over to **18<sup>th</sup> March, 2025**. To be placed under the caption '**For Directions**'.

**[ MILIND N. JADHAV, J. ]**

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