

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION (A.PL.) NO. 1118 OF 2024

Vasant Raghunath Nagvekar & Ors. ... Applicants

V/s.

The State of Maharashtra & Anr. ... Respondents

WITH

INTERIM APPLICATION NO. 4861 OF 2024

IN

CRIMINAL APPLICATION (A.PL.) NO. 1118 OF 2024

Sandeep Ankush More ... Intervenor

In the matter between :-

Vasant Raghunath Nagvekar & Ors. ... Applicants

V/s.

The State of Maharashtra & Anr. ... Respondents

WITH

CRIMINAL WRIT PETITION NO. 2783 OF 2024

Shivaji Gulabrao Kalel & Ors. ... Petitioners

V/s.

The State of Maharashtra & Anr. ... Respondents

WITH

INTERIM APPLICATION NO. 4885 OF 2024

IN

CRIMINAL WRIT PETITION NO. 2783 OF 2024

Sandeep Ankush More ... Intervenor

In the matter between :-

Shivaji Gulabrao Kalel & Ors.

... Petitioners

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Digajmaan Mishra a/w. Mr. Arpit K. Ashok & Mr. Dipak Y. Jadhav i/b. Mr. Laxman Kalel for Applicants / Petitioners.

Ms. Huda Sayyad a/w. Ms. Namrata Shettigar i/b. Mr. Imran Nasir Shaikh for Intervenor.

Ms. Prajakta P. Shinde, A.P.P. for Respondent No.1-State.

P.S.I. Mr. Jaywant Pawar, Pantnagar Police Station, Mumbai, present.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.**

DATE : 1st July 2025.

P.C. :

1) Taking into consideration the unnecessary complications created by the Investigating Agency in the present crime, we deem it appropriate to direct the Joint Commissioner of Police (Law and Order) to file its detailed reply to the present Application.

2) We direct the Joint Commissioner of Police, not to delegate his powers to any subordinate Officer, while filing the said reply.

2.1) The Joint Commissioner of Police shall explain on Affidavit, as to whether the inbuilt mechanism provided under the provisions of Section 83 to 88 of the Maharashtra Cooperative Societies Act can be made otious by the Investigating Agency.

2.2) Whether Mr. Balu Bangar, a Special Auditor, Class-II, Cooperative Banks, without following the the provisions of the Maharashtra Cooperative Societies Act, can venture into lodgment of present crime, which was expeditiously investigated by the Investigating Agency, culminating into filing of a chargesheet.

2.3) If the answers to the aforesaid two questions are in the negative, then what action the top ranking Police Officer(s) are intending to take against the concerned. These questions noted above are to be answered in addition to the reply to be filed.

2.4) It is the contention of the learned Advocate for Applicants that, the F.I.R. in question is lodged by Mr. Balu Bangar under the pressure of Mr. Sandeep More, who is serving in Police Department at Mumbai. It is therefore also necessary for the Joint Commissioner of Police to conduct inquiry from the said angle and to tell this Court the absolute truth on Affidavit.

2.5) The said reply be filed within a period of two weeks from today.

3) Stand over to 22nd July 2025.

4) Till the returnable date, ad-interim relief in terms of prayer clause (a).

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)