

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1264 OF 2025

Suryakant Shantaram MohirE

.. Applicant

Versus

State of Maharashtra

.. Respondent

-
- Mr. Kishor Patil, Advocate for Applicant.
 - Mr. Balraj B. Kulkarni, APP for Respondent.
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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 01, 2025

P.C.:

1. Heard Mr. Patil, learned Advocate for Applicant and Mr. Kulkarni, learned APP for Respondent.

2. Applicant is indicted in offences punishable under Sections 409, 420 read with Section 34 of the Indian Penal Code, 1860 and Sections 3 and 4 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999.

3. Mr. Patil would inform the Court that Applicant is incarcerated for the past 8 months, investigation is complete and charge-sheet is filed. He would submit that there is no role whatsoever attributed to the Applicant in question in so far his indictment in offence is concerned. He would submit that case of prosecution is arrayed directly against Accused No.1 who is the son of Applicant and who was running a concern / entity called 'Dhanyash Enterprises'. He

would submit that First Informant has given a list of investors who had a dealing directly with Dhanyash Enterprises and the son of Applicant namely Accused No.1. He would submit that in so far Applicant is concerned, he has his own entity concern called 'Dhansampati Enterprises' which had no nexus whatsoever with Dhanyash Enterprises.

4. He would submit that according to the First Informant, a charge is levied that entire objective of Dhanyash Enterprises was carried out by Accused No.1 alongwith Application. That according to Mr. Patil is the sole charge against Applicant. He would submit that in view thereof and in view of Applicant having no nexus whatsoever with Dhanyash Enterprises though admittedly it may have been done by his own son, Applicant cannot be indicted or prosecuted.

5. He would therefore persuade the Court to consider case of Applicant for grant of bail.

6. Mr. Kulkarni, learned APP enters appearance on behalf of Respondent. He shall take appropriate instructions and file his reply postively within a period of three weeks from today considering that indictment is under the Special Act. The prosecution is directed to place on record the role of Applicant in the present crime. If what Mr. Patil submits and has been delineated hereinabove is correct, then Applicant would have to be enlarged on bail. Prosecution shall file its

reply and argue the matter on the next adjourned date.

7. Stand over to **22nd April, 2025.** To be placed on the
‘Supplementary Board’.

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA
HANUMANT
SAWANT

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by HARSHADA
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