

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2692 OF 2025**

1. Vijay Ramchandra Dhumal
2. Namdeo Vitthal Kondhalkar
3. Shivaji Shamrao Khopade
4. Vijay Shripati Dhumal
5. Sambhaji Shamrao Khopade
6. Pandharinath Ramchandra Dhumal ...Applicants

Versus

State of Maharashtra ...Respondent
(Through Bhore Police Station,
Pune Rural.

Mr. Satyam Harshad Nimbalkar a/w Harshwardhan Milind Pawar
and Mr. Yash Saxena, for Applicants.
Ms. S.M. Yadav, APP for the State.
Mr. Sunny Punamiya i/by Mr. Dilip Shukla, for Intervenor.
PI, Tasgaonkar, EOW, – Pune Rural present.

**CORAM: MADHAV J. JAMDAR, J.
DATED : 10th October 2025**

P.C.:

1. Heard Mr. Nimbalkar, learned Counsel appearing for the Applicants, Ms. Yadav, learned APP for the State and Mr. Punamiya, learned Counsel appearing for the Intervenor-First Informant.

2. By this application filed under Section 438 of the Code of Criminal Procedure, 1973, the Applicants are seeking pre-arrest bail in connection with C.R. No.107 of 2025 registered with Bhore Police Station, Pune Rural, for the offences punishable under Sections 406, 408, 420, 468, 471 read with Section 34 of the Indian Penal Code, 1860 ("IPC") and under Sections 3 and 4 of Maharashtra Protection of Interest of Depositors Act, 1999 ("MPID Act"). There are total 112 Accused. The Applicants are Accused Nos. 29, 36, 48, 37, 35 and 26.

3. The First Informant is Special Auditor of Class-2 of the Co-operative Societies, Pune. As per the prosecution case, the informant/complainant Jaysing Sakharam Gaikwad working as an Auditor in Co-operative Department, Pune was appointed by the Co-operative Department for the purpose of auditing the accounts of Nere Vibhag Nagari Sahakari Pat Sanstha Maryadit, Bhore. After conducting the audit of the said account the informant filed report to the concerned department on 01/04/2025 wherein it was found that there were discrepancies, misappropriation of funds and fraud committed during the disbursement of loan to the members of said Nere Vibhag Nagari Sahakari Pat Sanstha Maryadit, Bhore from

25/06/2010 to 31/03/2024. Accordingly he lodged complaint and FIR came to be registered vide crime No.107/2025 against applicants and other about 112 accused. It is the main allegation against the Applicants that they have taken loan from Nere Vibhagh Nagari Sahakari Pat Sanstha Maryadit, Bhore, District-Pune and has not repaid the same.

4. Mr. Nimbalkar, learned Counsel appearing for the Applicant submitted that the Applicant took loan and could not repay the same. He submits that the adequate security is given to secure the repayment of the loan amount. He submits that the dispute is of civil nature and in any case the Applicants are not involved in the crime.

5. On the other hand, Ms. Yadav, learned APP and Mr. Punamiya, learned Counsel appearing for the First Informant strongly opposes the Application. Both of them submit that the offence is very serious and since beginning the intention was to take loan and not to repay the same. Both of them submit that the intention since inception was to misappropriate the public money. Thus both of them submitted that the offence is very serious and therefore the custodial interrogation is necessary.

6. Ms. Yadav, learned APP has submitted details with respect to the Applicants in tabular format, which is set out herein below:-

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भारत पॉलिस ठाणे गु.र.क्र.107/2025 कलम 406,408,420,468,471,34मह महाराष्ट्र ठेवोदगम्या (वित्तीय संस्था मॉडल हितसंवर्धन संरक्षण) अधिनियम १९९९ कलम 3,4 या गुन्हातील 98 कर्जदारांचे अभिलेख

अ.क्र. (1)	कर्जदाराचे नाव (2)	कर्ज रक्कम (3)	कर्ज घेतले दिनांक (4)	कर्ज खाते क्र. (5)	वसूल झाले क्र. (6)	कर्ज मंजूर दि. व ठाव क्र. (7)	हजेरा क्र. (8)	कर्ज परतकडे (9)	तारख (10)	कर्ज मागणीचे कारण (11)	कर्ज वसुली दिनांक (12)	101 चा नोटिस दिनांक (13)	इतर हक्कात बाज नोंद केलेल्या मालमत्तेचे वर्णन (मालमत्ता जल न्हा) (14)	अर्जदार यांनी भरलेली रक्कम मूल व व्याज आहे. (15)	मूल व्याजाचे मुदतवारीक सह Interest Amount * Principal Amount (16)	वसूल झाले (17)	वसूल झाले 12.31.03/2024 पर्यंत (18)
37	संभाजी शामराव खोपडे	8,00,000	24-10-2013	तारख 1461	2601	तारख क्र. 4 27-09-2013	84	00	दस्त क्र. 3721 दि.7-09-2011 शेतजमोने- मोने आंबडे गट न.2(क्षेत्र 0.07),103(क्षेत्र 0.88), 10,143(क्षेत्र 0.88), 145पे(क्षेत्र 0.1 6.2),323(क्षेत्र 0.9 3),594पे(क्षेत्र 0.87, 5),805(क्षेत्र 1.25) 871(क्षेत्र 0.39), 1078पे(क्षेत्र 0.39), 1081पे(क्षेत्र 0.04 7),1154पे(क्षेत्र 0.01),870पे(क्षेत्र 0.46.8)	वसुली सखी परंतु कागदपत्र न्हाते.	6-03-2018 7-03-2018 2-07-2018 जली तारीख 11-10-2024	होय	मोने आंबडे येथील गट न.103,1078, 1081,1154,143, 145,2,323,594, 80,805,870, चे हक्काप्रमाणे आणि फेरवसर नोंद क्र.1624 आणि 1842 ने मोने आंबडे मध्ये इतर हक्कात बाज घेवला आहे.	1) 31-12-2013= 76,000 (सुरक्षा देव जमा) 2) 21-03-2014= 30,518 ----- एकूण जमा=1,06,518 ----- मूल -51,803 व्याज -54,715 ----- एकूण=1,06,518	11,22,640	12,53,645	23,76,285
50	शिवाजी शामराव खोपडे	10,00,000	14-09-2011	तारख 1183	86	तारख क्र. 4 26-08-2011	84	00	दस्त क्र. 3721 दि.7-09-2011 शेतजमोने- मोने आंबडे गट न.2(क्षेत्र 0.07),103(क्षेत्र 0.88), 10,143(क्षेत्र 0.88), 145पे(क्षेत्र 0.1 6.2),323(क्षेत्र 0.9 3),594पे(क्षेत्र 0.87, 5),805(क्षेत्र 1.25) 871(क्षेत्र 0.39), 1078पे(क्षेत्र 0.39), 1081पे(क्षेत्र 0.04 7),1154पे(क्षेत्र 0.01),870पे(क्षेत्र 0.46.8)	वसुली सखी परंतु कागदपत्र न्हाते.	13-11-2018 27-11-2018 12-12-2018 31-12-2018 जली तारीख 06-08-2020 दि.12-05-2022 मंडल तारख 18-06-2022 साखर संकूल 22-12-2022	होय	मोने आंबडे येथील गट न.103,1078, 1081,1154,143, 145,2,323,594, 80,805,870, चे हक्काप्रमाणे आणि फेरवसर नोंद क्र.1624 आणि 1842 ने मोने आंबडे मध्ये इतर हक्कात बाज घेवला आहे.	1) 31-03-2012= 87,671 2) 31-03-2013= 1,00,000 3) 31-03-2014= 1,00,482 4) 22-03-2014= 2,08,000 ----- एकूण जमा=4,96,153 ----- मूल -0 व्याज -4,96,153 ----- एकूण=4,96,153 (वसूल झालेले क्र. 86 ला दि.12-02-2024 रोजी 15,90,174 जमा) एकूण =20,86,327	15,10,447	18,65,314	33,75,761

शिवाजी व संभाजी शामराव खोपडे हे दोघे सखे भाऊ असल्यामुळे दोघांच्या कर्ज खात्याला एकच गहाणखत करून घेतले आहे.

भोर पोलिस ठाणे ग.र.क्र.107/2025 कलम 406,408,420,468,471,344सह महाराष्ट्र ठेवदारांच्या (वित्तीय संस्था मधील हितसंबंधांचे संरक्षण) अधिनियम १९९९ कलम 3,4 या गुन्हातील 98 फर्जदारांचा अभिलेख

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अ.क्र. (1)	फर्जदाराचे नाव (2)	फर्ज रक्कम (3)	फर्ज घेतले दिनांक (4)	फर्ज खते क्र. (5)	वचन खते क्र. (6)	फर्ज मंजूर दि. व ठराव क्र. (7)	हजे कालखर्चा (8)	फर्ज पलक्रेड (9)	तारण (10)	फर्ज मागणीचे कारण (11)	फर्ज वसुली नेटोस दिनांकाचा दिनांक (12)	101 चा पंतु कारवाई झाली काय ? (13)	इतर हक्कात बोला नॉद केलेल्या मालमतेचे वर्णन (मालमता जरा नाही) (14)	अर्जदार यांनी भरलेली रक्कम मूल व व्याज आहे. (15)	मूल व्याजाचे मूदल व व्याजाचे ह Interest Amount * Principal Amount (16)	धक्कात येणे व्याज (17)	धक्काचा दि.31/03/ 2024 पर्यंत (18)
31	विजय रामचंद्र धुमाळ	5,00,000	05-05-2012	तारण 1245	2096	ठराव क्र. 4 30-04-2012	84	00	दस्त क्र.1762 दि.2-05-2012 शेतजमीन-पसुरे गट न.244, क्षेत्र-1/14, 8, 317 क्षेत्र-0-17 गहाणखत करून घेतलेली दि.2-05-2012	नमूद नाही	27-02-2023 23-03-2023 15-03-2023 जली तारीख 04-09-2024	होय	मोजे पसुरे येथील गट न.10,236,256, 282,292,294,31, 310,317,329,349, 351,358,372,422, 9 चे हक्कामध्ये आणि फेरफार नॉद क्र.1453 ने मोजे पसुरे मध्ये इतर हक्कात बोला चढवला आहे.	1) 30-09-2022= 55,000 (सुलक्ष देव जमा) 2) 30-12-2013= 10,000 3) 27-03-2014= 55,000 4) 31-03-2015= 1,26,350 5) 3-01-2022= 20,000 6) 3-12-2022= 20,000 7) 31-12-2022= 10,000 8) 21-01-2023= 10,000 9) 10-03-2023= 10,000 10) 31-03-2023= 10,000 11) 6-05-2023= 10,000 एकूण जमा=3,36,350 मूल - 22,342 व्याज - 3,14,008 एकूण=3,36,350	8,89,321	6,28,167	15,17,488
39	विजय श्रीपती धुमाळ	6,50,000	07-08-2014	तारण 1563	2923	ठराव क्र. 4 31-07-2014	84	00	दस्त क्र.3248 दि.7-08-2014वर - मोजे पसुरे घर न. 108 क्षेत्र-23फुट* 32फुट-736चौरस फुट व गट न.145 (क्षेत्र-0.87) 297 (क्षेत्र-0.97.9)	नमूद नाही	22-07-2023 23-03-2023 10-04-2023 जली तारीख 18-09-2024	होय	मोजे पसुरे येथील गट न.235,451 चे हक्कामध्ये फेरफार नॉद क्र.1455 ने मोजे पसुरे मध्ये इतर हक्कात बोला चढवला आहे.	1) 22-12-2014= 70,000 2) 31-03-2015= 20,000 3) 9-03-2016= 50,000 4) 18-08-2016= 1,00,000 5) 23-10-2017= 20,000 6) 20-03-2018= 10,000 7) 25-03-2023= 5,600 8) 31-03-2023= 12,800 एकूण जमा=2,88,400 मूल-31,379 व्याज -2,57,021 एकूण=2,88,400	10,26,534	6,37,253	16,63,787

भारत पोस्टल टाणे गु.र.क्र.107/2025 कलम 406,408,420,468,471,34सह महाराष्ट्र ठेकीदारांच्या (वित्तीय संस्था मधील हितसंबंधाचे संरक्षण) अधिनियम १९९९ कलम 3,4या मुन्दातील 98 कर्जदारांचा अभिलेख

अ. क्र. (1)	कर्जदाराचे नाव (2)	कर्ज रक्कम (3)	कर्ज घेतले दिनांक (4)	कर्ज घेतले क्र. (5)	व्यक्त घेतले क्र. (6)	कर्ज मंजूर दि. व ठराव क्र. (7)	हजेर कालावधी (8)	कर्ज परतफेड (9)	तारण (10)	कर्ज मागणीचे कारण (11)	कर्ज वसूली नोंदीस दिल्याची दिनांक (12)	101 ची नोंदीस दिले पंतु कारवाई झाली काय ? (13)	इतर हक्कात बोजा नोंद केलेल्या मालमतीचे वर्णन (मालमती जत नाही) (14)	अर्जदार यांना भरलेली रक्कम मुद्दल व व्याज आहे. (15)	मुद्दल व्याजाचे मुद्दलरकम सह Interest Amount * Principal Amount (16)	धकत येणे व्याज (17)	धकत्याची दि.31 /03/2024 पर्यंत (18)
38	नामदेव विठठल काढळकर	6,00,000	27-03-2014	तारण 1495	1957	ठराव क्र. 4 28-02-2014	84	00	गहाणखत ठी पंतु करून घेतले नाहीत.	व्यवसायासाठी पंतु कागदपत्र नाहीत.	25-06-2019 01-07-2019 17-07-2019 जवो तारीख 20-12-2020 15-09-2021	होय	मौजे पसुरे येवेल गट न.77/2 चे हक्कामध्ये फेरफार नोंद क्र. 6858 आणि ने मौजे पन्वळ येवेल गट न. 202,332,338, 339,341,430, 440,479,511, 66,74 चे हक्कामध्ये फेरफार नोंद क्र. 826 पन्वळ मध्ये इतर हक्कात बोजा चढवला आहे.	1) 30-06-2014= 11,900 2) 11-03-2015= 50,000 3) 6-03-2016= 5,000 4) 12-11-2017= 18,000 5) 20-01-2019= 6000 6) 23-02-2020= 5000 7) 28-03-2021= 5000 8) 3-01-2022=3,00,000 9) 19-10-2023= 1,100 एकूण जमा= 4,02,000 मुद्दल -0 व्याज-4,02,000 एकूण= 4,02,000	11,69,650	4,60,785	16,30,435
28	पंडरीनाथ रामचंद्र धुमाळ	5,00,000	28-08-2010	तारण 984	1874	ठराव क्र. 4 30-02-2010	84	00	गहाणखत ठी पंतु करून घेतले नाहीत.	व्यवसायासाठी पंतु कागदपत्र नाहीत.	27-12-2022 15-01-2023 29-08-2024 जवो नोंदीस 18-09-2024	होय	मौजे पसुरे येवेल गट न.286/च, 343,353 चे हक्कामध्ये आणि फेरफार नोंद क्र.1449 मौजे पसुरे मध्ये इतर हक्कात बोजा चढवला आहे.	1) 31-12-2010= 40,000 2) 29-03-2011= 50,000 3) 31-03-2012= 73,300 4) 31-03-2013= 70,000 एकूण जमा=2,33,300 मुद्दल -43,144 व्याज -1,90,156 एकूण=2,33,300	4,93,035	8,13,408	13,06,443

1,18,70,199

7. Mr. Nimbalkar, learned Counsel for the Applicants has also submitted details with respect to each of the Applicants. The same is reproduced hereinbelow :

“1. PANDHARINATH RAMCHANDRA DHUMAL, Age: 64 years, Add: At. Pasure, Tal. Bhore, Dist. Pune.
LOAN AVAILED DATE: 28/08/2010.
LOAN AMOUNT: Rs. 4,99,957/-
OUTSTANDING AMOUNT ACCORDING TO PATSANSHTHA: Rs. 15,09,950/-
AMOUNT PAID TILL DATE FOR REPAYMENT OF LOAN: Rs. 3,50,000/- (According to Mr. Pandharinath Ramchandra Dhumal - BUT NO DOCUMENTARY EVIDENCE AVAILABLE)
PROPERTY MORTGAGED: NONE
CHARGE ON PROPERTY: Gat no. 286/A, Area admeasuring about 04 Acre 20 Gunthas

2. VIJAY SHRIPATI DHUMAL, Age: 71 years, Add: At. Pasure, Tal. Bhore, Dist. Pune.
LOAN AVAILED DATE: 06/08/2014.
LOAN AMOUNT: Rs. 6,50,000/-
OUTSTANDING AMOUNT ACCORDING TO PATSANSHTHA: Rs. 19,81,490/-
AMOUNT PAID TILL DATE FOR REPAYMENT OF LOAN: Rs. 3,10,000/- (According to Mr. Vijay Shripati Dhumal - RECEIPTS AVAILABLE)
PROPERTY MORTGAGED: Gat no. 297, Area admeasuring about 03 Acre 00 Gunthas
CHARGE ON PROPERTY: Gat no. 297, Area admeasuring about 03 Acre 00 Gunthas

3. VIJAY RAMCHANDRA DHUMAL, Age: 42 years, Add: At. Pasure, Tal. Bhore, Dist. Pune.
LOAN AVAILED DATE: 05/05/2012.
LOAN AMOUNT: Rs. 5,00,000/-
OUTSTANDING AMOUNT ACCORDING TO PATSANSHTHA: Rs. 17,99,978/-

AMOUNT PAID TILL DATE FOR REPAYMENT OF LOAN: Rs. 6,91,200/- (According to Mr. Vijay Ramchandra Dhumal - STATEMENT AVAILABLE)

PROPERTY MORTGAGED: a) Gat no. 244, Area admeasuring about 01H 30.1R, b) Gat no. 317, Area admeasuring about 00H 18R (UNDIVIDED SHARE)

CHARGE ON PROPERTY: Gat no. 10, Gat no. 256, Gat no. 282, Gat no. 292, Gat no. 294, Gat no. 31, Gat no. 310, Gat no. 317, Gat no. 329, Gat no. 349, Gat no. 351, Gat no. 372, Gat no. 422, Gat no. 09.

4. SHIVAJI SHAMRAO KHOPADE, Age: 55 years, Add: At. Ambade, Tal. Bhore, Dist. Pune.

LOAN AVAILED DATE: 2010.

LOAN AMOUNT: Rs. 10,00,000/-

OUTSTANDING AMOUNT ACCORDING TO PATSANSTHA: Rs. 24,00,250/-

AMOUNT PAID TILL DATE FOR REPAYMENT OF LOAN: Rs. 15,92,174/- (According to Mr. Shivaji Shamrao Khopade - STATEMENT AVAILABLE)

PROPERTY MORTGAGED: Gat no. 103, Gat no. 1078, Gat no. 1081, Gat no. 1154, Gat no. 143, Gat no. 145, Gat no. 2, Gat no. 323, Gat no. 594, Gat no. 805, Gat no. 870, Gat no. 871. CHARGE ON PROPERTY: Gat no. 103, Gat no. 1078, Gat no. 1081, Gat no. 1154, Gat no. 143, Gat no. 145, Gat no. 2, Gat no. 323, Gat no. 594, Gat no. 805, Gat no. 870, Gat no. 871.

5. SAMBHAJI SHAMRAO KHOPADE, Age: 48 years, Add: At. Ambade, Tal. Bhore, Dist. Pune.

LOAN AVAILED DATE: 24/10/2013.

LOAN AMOUNT: Rs. 08,00,000/-

OUTSTANDING AMOUNT ACCORDING TO PATSANSTHA: Rs. 27,24,930/-

AMOUNT PAID TILL DATE FOR REPAYMENT OF LOAN: NONE

PROPERTY MORTGAGED: NONE

CHARGE ON PROPERTY: Gat no. 103, Gat no. 1078, Gat no. 1081, Gat no. 1154, Gat no. 143, Gat no. 145, Gat no. 2, Gat no. 323, Gat no. 594, Gat no. 805, Gat no. 870, Gat no. 871.

6. NAMDEO VITTHAL KONDHALKAR, Age: 49 years, Add: At. Panvhal, Tal. Bhore, Dist. Pune.

LOAN AVAILED DATE: 26/05/2012.

LOAN AMOUNT: Rs. 05,00,000/-

OUTSTANDING AMOUNT ACCORDING TO PATSANSHTHA: Rs. 19,49,928/-

AMOUNT PAID TILL DATE FOR REPAYMENT OF LOAN: Rs. 04,50,000/- (According to Mr. Namdeo Vitthal Kondhalkar - RECEIPTS OF Rs. 3,00,000/- AVAILABLE & Rs. 1,50,000 IN CASH BUT NO DOCUMENTARY EVIDENCE AVAILABLE)

PROPERTY MORTGAGED: NONE

CHARGE ON PROPERTY: Gat no. 77/2, Area admeasuring about 00H 10.90R.

8. Perusal of the above information submitted by Ms. Yadav, learned APP and Mr. Nimbalkar, learned Counsel appearing for the Applicants clearly shows that when the loan was taken, various lands were mortgaged with the Bank with respect to at least 4 Applicant. Perusal of record further shows that all these loans were taken from the year 2010 to 2014 and there were certain repayments. However, it is true that all these Applicants have not repaid substantial part of the loan and there is default. In case of 2 Applicants, who have not mortgaged any land when the loan was sanctioned, Charge has been created with respect to certain agricultural lands.

9. In this particular case, the Applicants have availed loan in the year 2010 to 2014. Except two Accused, all the Accused have mortgaged their agricultural lands with the Bank while availing the loan. The mortgage of respective agricultural lands by respective Applicants is by registered mortgage deeds. It is also relevant to note that most of the Applicants for initial few years have repaid certain part of loan, although not very regularly and thereafter there is default. Perusal of the record further shows that in view of all these mortgage deeds, charge is also created on various agricultural lands. As far as two Applicants, who have not mortgaged the lands, when the loan was availed, in their case also, it is seen that initially payment was made although, not regularly and thereafter there is huge default. However, in their case also, presently on certain agricultural lands belonging to them, charge for the due amounts is created. Thus, *prima facie* with respect of all these Applicants, it cannot be said that since inception, there was criminal intention. As far as criminal breach of trust is concerned, some repayment was made for initial few years as also properties were also mortgaged since beginning as regards four Applicants are concerned and as far as two Applicants, charge has been created subsequently. In view of all these aspects, *prima facie*

there is substance in the contention raised by the learned Counsel appearing for the Applicants that the Applicants are not involved in the crime and in any case, the custodial interrogation is not necessary.

10. In any case, the custodial interrogation is not necessary. Accordingly, the Applicants are entitled to pre-arrest bail. Hence, following Order is passed:

ORDER

- (i) In the event of arrest, the Applicants - (i) Vijay Ramchandra Dhumal, (ii) Namdeo Vitthal Kondhalkar, (iii) Shivaji Shamrao Khopade, (iv) Vijay Shripati Dhumal, (v) Sambhaji Shamrao Khopade, and (vi) Pandharinath Ramchandra Dhumal, be released on bail in connection with C.R. No.107 of 2025 registered with Bhore Police Station, Pune Rural, on executing P.R. bonds of Rs.10,000/- each and furnishing one or two sureties in the like amount.

- (ii) The Applicants shall attend the concerned Police Station as and when called till filing of the Charge-sheet.
- (iii) The Applicants shall furnish their cell phone numbers and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (iv) The Applicants shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.
- (v) The Applicants shall not tamper with the prosecution evidence and shall not contact or influence the Complainant, or any witness, in any manner.

11. The Anticipatory Bail Application is allowed and disposed of accordingly.

BHALCHANDRA
GOPAL DUSANE

Digitally signed by
BHALCHANDRA
GOPAL DUSANE
Date: 2025.10.16
21:09:52 +0530

(MADHAV J. JAMDAR, J.)