



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.66 OF 2025

Dipali Vikas Salve

Vs.

State of Maharashtra, through Police Station Officer, Buldhana,
District Buldhana

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. M. P. Kariya, Counsel for the applicant.
Ms. M. A. Barabde, APP for the non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 25/02/2025

1. Apprehending the arrest at the hands of police in connection with Crime No.1085/2024 registered with Police Station, Buldhana, District Buldhana for the offences punishable under Sections 3(5), 316(2), 318(4) of the Bharatiya Nyaya Sanhita, 2023, the applicant approached to this Court for grant of pre-arrest bail.

2. As per the case of the prosecution, the applicant who was employee of Capri Global Limited. On 11.12.2024, a complaint was lodged by one Arunkumar Baburao Rathod, who is the Area Manager of Capri Global Limited by which he was alleged the applicant along with the other co-accused cheated the company by misappropriating the amount. It was alleged that, said the company is

engaged in disbursement of loan on mortgaged of gold from various customers. In the audit report up till August 2024, it was observed that the employees of the company including the present applicant had misappropriated an amount of approximately Rs.26,21,472/- by advancing the loan more than the valuation of the gold i.e. on a fake gold. The role attributed to the present applicant in the said Capri Global Limited to verify the genuineness of the said gold and thereafter, prepare a report and furnish it to the other authorities and after verifying the same, the loan is to be advanced.

3. Heard learned Counsel for the applicant who submitted that as far as the role attributed to the present applicant is only to check the gold and advancing the loan amount is the duty of the other superior officer. As far as the custodial interrogation is concerned, which is not required. In view of that she be protected by granting anticipatory bail.

4. Learned APP strongly opposed the said application and submitted that it is the public money that the money of the investors is misappropriated by the employees of the said Capri Global Limited. The audit report discloses the role of the present applicant as well as the other co-accused. Learned APP submitted that against the fake gold, the loan was advanced by the office bearers of the said branch and caused the loss to the investors as well as

the company. Considering the same, at this stage, the application deserves to be rejected.

5. After hearing both sides and on perusal of the audit report, the role of the present applicant revealed in the alleged incident. It is specifically mentioned in the audit report that the bank staff intentionally pleached the Bentex ornaments in 2 Lakhs having amount of Rs.4.81 Lakhs. The role of the present applicant is specifically revealed in the said audit report. Considering the stake of the misappropriation, the custodial interrogation of the present applicant is required. In view of that, the application deserves to be rejected. Accordingly, I proceed to pass following order:

ORDER

The application is rejected.

(URMILA JOSHI-PHALKE, J.)