



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.222 OF 2025
(Nagesh s/o Arun Wahurwagh and anr. Vs. State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. A.M. Jaltare, Advocate a/w Mr. N.D. Dawda, Advocate for the applicants.
Mr. A.M. Ghogare, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- APRIL 23, 2025.

Apprehending the arrest at the hands of police in connection with Crime No.158/2025 registered with Police Station Khadan, District Akola for the offence punishable under Section 420 read with Section 34 of the Indian Penal Code, 1860, the applicants approached this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of a report lodged by Surekha Gautam Ovey, who alleged that the present applicants are her neighbours, there were family relations between them. Applicant No.2 induced her to invest the amount in the Advance Alliance Company on the promise of receiving handsome returns on her investment. She has invested a total amount of Rs.14,00,000/-. However, she has not received any returns, including the principal amount, therefore, she approached to the police station and lodged the report.

3. Learned Counsel for the applicants submitted that as far as the present applicants are concerned who are not concerned with the alleged company i.e. Advance

Alliance. They are not the office bearers of the said company. At the most allegations against the present applicants are to the extent that they have asked the complainant to invest the amount. He submitted that as the amount is directly invested in the company nothing is to be recovered from the present applicants, and therefore, they be released on anticipatory bail.

4. During submissions learned Counsel for the applicant also submitted that he is not pressing the application for applicant No.1 and prayed for the release of applicant No.2 on anticipatory bail.

5. Learned APP strongly opposed for the same and submitted that as far as applicant No.2 is concerned the allegation against her is about to investment. He further submitted that during investigation it revealed that not only the complainant but other investors were also there and they were also induced by the applicant No.1. as far as the contention of the learned Counsel for the applicant is concerned admittedly, the only allegation against applicant No.2 is as to induce the complainant to invest the amount whereas the allegations as regards to applicant No.1 is that he has induced the other investors also and there was connection between him and other co-accused. Thus, considering the same and as the learned Counsel for the applicants has already not pressed the application for applicant No.1, it is not required to pass any order as far as applicant No.1 is concerned.

6. In view of the above observations, applicant No.2 has made out a case for grant of anticipatory bail. Accordingly, I proceed to pass the following order:

(i) The application is allowed.

(ii) In the event of arrest, the applicant No.2 - Sonali w/o Nagesh Wahurwagh in connection with Crime No.158/2025 registered with Police Station Khadan, District Akola for the offence punishable under Section 420 read with Section 34 of the Indian Penal Code, 1860, be released on anticipatory bail on executing PR. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(iii) Applicant No.2 shall attend the concerned police station once in a week on Monday between 10.00 a.m. to 01.00 p.m. and shall cooperate with the investigating agency.

(iv) Applicant no.2 shall not induce, threat or promise any witnesses, who are acquainted with the facts of the case.

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)