



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

CRIMINAL APPLICATION (ABA) NO.251 OF 2025
(Umeshkumar s/o Babarao Nikhade 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. S.V. Sirpurkar, Advocate for the applicant.
Mrs. M.A. Barabde, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JUNE 11, 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 offences punishable under Sections 420 read with Section 34 of the Indian Penal Code and Section 3 and 4 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999, the applicant approached this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of the report lodged by informant Surekha Gautam Owe alleging that the present applicant is neighbour and there were family relations between her and the present applicant. The present applicant has induced her to invest the amount in Advice Alliance Finance Company on the promise that they will get handsome returns of the invested amounts in a short span. Therefore, she has invested total amount of Rs.14,00,000/-. However, she has not received any return, including principal amount. On

the basis of the said report the police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that only grievance against the present applicant that she has induced the informant to invest the amount. As far as the monetary gain is concerned the applicant had not received any monetary gain. In view of that, his custodial interrogation is not required as nothing is to be recovered from him. In view of that, he be released anticipatory bail.

4. Learned APP strongly opposed the application and submitted that the informant has invested the huge amount in the Advance Alliance Company and the applicant is office bearer of the said company and only on his inducement the amount was invested. Hence, the application deserves to be rejected.

5. I have heard learned Counsel for both the sides. On perusal of recitals the FIR as well as the investigation papers it reveals that the present applicant has already credited the amount which is collected by him for the company. As far as the allegation by the informant is concerned which are only to the extent that he has induced her to invest the amount in the said company. The investigation papers reveal that the account statements are already collected. The applicant has cooperated with the investigating agency. The relevant statements are

already recorded. Thus, considering that the investigation is sufficiently progressed and the applicant has already cooperated with the investigating agency, his custodial interrogation is not required. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass following order:

(i) The application is allowed.

(ii) In the event of arrest, the applicant - Umeshkumar s/o Babarao Nikhade in connection with Crime No.158/2025 registered with Police Station, Khadan, District Akola for the offences punishable under Sections 420 read with Section 34 of the Indian Penal Code and Section 3 and 4 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999, 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) The applicant shall attend the concerned police station once in a week i.e. on every Monday between 10.00 AM and 1.00 PM and shall cooperate with the investigating agency.

(iv) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.

6. On contravention of any of the condition would lead to the cancellation of bail.

7. The application stands disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*