



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

CRIMINAL APPLICATION (ABA) NO.329 OF 2025

(Lokesh Madanmohan Yelne 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.S. Bangde, Advocate for the applicant.
Mr. D.V. Chauhan, Public Prosecutor (Sr. Counsel) a/b Mr. A.
Madiwale, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JULY 18, 2025.

Apprehending the arrest at the hands of police in connection with Crime No.02/2025 registered with Police Station Bhandara, District Bhandara for the offence punishable under Sections 406, 417, 420 of the Indian Penal Code, 1860, Sections 3 and 4 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999 read with Section 66(D) of the Information Technology Act, 2000 and Sections 21(3) and 22 of the Banning of Unregulated Deposit Schemes Act, 2019, the applicant approached this Court for grant of pre-arrest bail.

2. Learned Counsel for the applicant submitted that as far as the present applicant is concerned who is only connected to creating the App. Except that he has not played any role. The investors have invested the amount by clicking on the said App. Said amount is

already directly paid by opening the said account online. Thus, the applicant has not received any pecuniary gain. It is the investors who have knowingly invested in the said scheme. In view of that, the applicant is not responsible for any loss which they have sustained. As far as the custodial interrogation is concerned which is not required as applicant has already cooperated with the investigating agency by providing his laptop and gadgets. In view of that, he be protected by granting anticipatory bail.

3. Learned Public Prosecutor strongly opposed the application on the ground that it is not only the investors have invested the amount by online payment but some investors have also paid him the amount directly, some have paid him by way of Google Pay. Thus, he has received the pecuniary gain. As far as the cooperation with the investigating agency is concerned, the applicant has produced the old electronic gadgets from the data is already vanished. In view of that, the custodial interrogation of the applicant is required. He also invited my attention towards various statements of the witnesses and submitted that the involvement of the present applicant reveals in an inducement to the various investors to invest the amount and causing loss to them. In view of that, the application deserves to be rejected.

4. On hearing both the sides and on perusal of the investigation papers and the statements of the various

witnesses, the involvement of the present applicant reveals not only in accepting the amount but also in inducing the various investors to invest the amount. Approximately, 100 to 150 investors are involved in the said investment, and therefore, the crime is registered. Considering the nature of the crime, admittedly, his custodial interrogation is required. In view of that, the application deserves to be rejected.

5. Hence, the application is rejected accordingly.

(URMILA JOSHI-PHALKE, J.)

**Divya*