



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

CRIMINAL APPLICATION (ABA) NO.453/2025

Shri Ramesh s/o Tulshiram Kolhe

Vs.

The State of Maharashtra through P.S.O., Police Station Khadan, Akola

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

Court's or Judge's orders

Ms R.G. Nitnaware, Advocate for applicant
Shri M.J. Khan, APP for respondent/State

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 10.07.2025

Apprehending the arrest at the hands of police in connection with Crime No.413/2025 registered with Police Station Khadan, District Akola, for the offence punishable under Section 39 of the Maharashtra Money Lending Act, the applicant approached to this Court for grant of pre arrest bail.

2. Heard learned Counsel for applicant, who submitted that the complainant namely Vinod Khandare lodged a complaint, wherein he has stated that he is Class-II Officer of the Government working under the Deputy Registrar, Co-operative Societies, Akola. On the basis of the complaint of Digambar Gorle and Sanjay Gorle against the present applicant and other co-accused, inquiry was undertaken and notice under Section 16 of the Maharashtra Money Lending Act was issued and after conducting thorough and detailed inquiry, the Inquiry Officer formed an opinion that transaction between the complainant and

accused persons were purely money lending transaction. Moreover, it further revealed during the inquiry that accused persons does not have any money lending license and they are doing the money lending business. On the basis of said inquiry, the report came to be registered against the present applicant.

3. Heard learned Counsel for the applicant, who submitted that as far as the involvement of the present applicant in the alleged offence is concerned, which is suspicious. She submitted that custodial interrogation of the present applicant is not required as the entire documents are already recovered at the instance of the present applicant. She further submitted that the transaction is of a civil nature and no criminal offence is made out against the present applicant. In view of that the applicant be released on anticipatory bail.

4. Learned APP strongly opposed the said application and submitted that during investigation, it revealed that investigation officer has collected a copy of notice issued under Section 16 of the Maharashtra Money Lending Act. The investigating officer also collected the copy of the inquiry report wherein inquiry officer held that the accused in collusion of each other have done the act of Money Lending. During the search of the house, wherein incriminating documents have filed, which shows that from several persons, the blanks cheques are obtained by the present applicant. Thus, there is a possibility of the involvement of many other persons in the transaction

with the present applicant. In view of that his custodial interrogation is required.

5. On hearing both the sides and on perusal of the investigation papers, there is substance in the contention of the learned APP. The list of documents is placed before me along with the investigation papers wherein it is mentioned that several blank cheques and several stamp papers are found, during the search of the house of the present applicant. Thus possibility of many other persons came forward to make a complaint against the present applicant cannot be ruled out. At this stage, considering the incriminating documents filed during the search of the house of the present applicant, his custodial interrogation is required. In view of that, the application deserves to be rejected. Accordingly, I proceed to pass the following order.

ORDER

- (i) The application is rejected.

JUDGE

R.S. Sahare