



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

CRIMINAL APPLICATION (ABA) NO.473 OF 2025

Deepak s/o Babaraoji Ingole

Vs.

State of Maharashtra, through Police Station Officer, Police Station Arvi,
District Wardha

AND

CRIMINAL APPLICATION (ABA) NO.474 OF 2025

Pritam s/o Janardhan Padole

Vs.

State of Maharashtra, through Police Station Officer, Police Station Arvi,
District Wardha

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

Court's or Judge's orders

Mr. C. A. Babrekar, Counsel for the applicants.
Mr. M. J. Khan, APP for the non-applicant / State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 17/07/2025

1. Apprehending the arrest at the hands of police in connection with Crime No.440/2024 registered with Police Station Arvi, District Wardha for the offence punishable under Sections 318(4), 316(2), 316(5) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and under Section 3 of the Maharashtra Protection of Interest of Depositors (in Financial Establishment) Act, 1999 (M.P.I.D. Act).

2. The crime is registered on the basis of a report lodged by one Praful Haribhauji Kale on an allegation that he has opened an account with Niraj

Multipurpose Nidhi Limited, Amravati and deposited an amount of Rs.31,500/- through the agent of the said bank on 17.04.2025. He was lured that he would get the handsome returns on depositing the said amount. When he visited the bank for withdrawal, the cashier told him that there is no money in the bank. He tried to contact the Chairman of the said bank, but nobody has responded to him. The present applicants are the office bearers of the said Niraj Multipurpose Nidhi Limited, Amravati. On the basis of the said report, police have registered the crime against the present applicants.

3. Heard Learned Counsel for the applicants, who submitted that as far as the present applicants are concerned, they are employees and they have only collected the amount from the bank and deposited the same. As far as pecuniary gain is concerned, they have not received any amount, therefore, their custodial interrogation is not required. Moreover, the entire investigation revolves around the documents. In view of that, they be protected by the anticipatory bail.

4. Learned APP strongly opposed the said application and invited my attention towards the one voucher which shows that the applicant in Criminal Application (ABA) No.474/2025, namely, Pritam s/o Janardhan Padole has received the amount of Rs.40,000/-, whereas the applicant in Criminal

Application (ABA) No.473/2025 namely, Deepak s/o Babaraoji Ingole has received the amount of Rs.75,000/-. There is criminal antecedents of the same nature vide Crime No.273/2023. He also submitted that the statements of the various witnesses shows that they have invested the amount and they have not received the returns. Thus, considering the involvement of the present applicants, he prays for the rejection of the application.

5. On hearing both the sides and on perusal of the investigation papers, it reveals that the present applicants were the office bearers of the said Niraj Multipurpose Nidhi Limited, Amravati. They have induced and lured various investors to invest the amount and subsequently, the investors have lost their money. As far as the present applicants are concerned, it reveals from the statements of the witnesses that the present applicants used to collect the money from the various branches. The statement of the witnesses further reveals that the present applicants have also received some pecuniary gain in the nature of Rs.40,000/- and Rs.75,000/- respectively in their accounts. It further reveals that from the statements of the witnesses that the investors who are the daily earners have invested their hard earned money in the said unlicensed banking organization. The said organization appears to have no license.

6. Thus, considering the role attributed to the present applicants and the manner in which the investors were duped as well as the manner in which the amounts are collected towards the investment and the investors have not received the amount, the application for grant of anticipatory bail deserves to be rejected. Accordingly, I proceed to pass the following order:

ORDER

Both the applications are rejected.

(URMILA JOSHI-PHALKE, J.)