



**FIN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

CRIMINAL APPLICATION(ABA) NO. 736 OF 2025

Kailash Shyamrao Landge and anr. Vs. State of Maharashtra

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.Y.A.Kullarwar, counsel for the applicants.
Mr.Anant Ghogare, APP for the State.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 04/12/2025

1. Heard.
2. The applicants have apprehension of arrest in Crime No.152/2025 registered at Police Station Durgapur, District Chandrapur for the offences punishable under Section 3 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999 and Sections 61(2), 318(4), 318(2), 316(2) of the Bharatiya Nyaya Sanhita, 2023.
3. The crime is registered on the basis of report lodged by one Nagoba Dajiba Petkar on an allegations that he got acquainted with the applicants and co-accused, who informed him about the Infinity Empire Trading Company, wherein the present applicants were the Directors. It is

alleged that they have induced him to deposit the amount in the scheme on a promise of getting the handsome return. Initially, some returns are received by him but suddenly, the company had closed, and he has lost his invested amount. Thus, he is duped by the present applicants as well as the other co-accused. On the basis of the said report, police have registered the crime.

4. The learned Counsel for the applicants has stated that the applicants have not committed any offence. In another crime, the applicant No.2 is protected by this Court and the interim protection was granted by Session's Court to the applicant No.1. The learned Counsel for the applicants has stated that this is a Forex Trading. The team leaders were supposed to return the amount. The team leaders are not made accused in this case. The applicants have paid Rs. 1,76,00,825/-. Some amount is transferred to the depositors and some to the team leaders.

5. The learned counsel appearing for the applicant has stated that the applicant has returned the money to one of the team leader. The complaint has stated that she has received 75,00,000/- and she has returned it to the depositors. The learned counsel for the applicant has pointed out that the team leader is also the investor and she has taken the amount in the account of other family members, which is not disclosed.

6. Learned APP has opposed the application stating that there is difference between the amount, which is invested by the investors and returned by the team leaders. More amount is required to be refunded. Hence, prayed to reject the application.
7. Heard both the sides and perused the record.
8. Considering the allegations made against these applicants and all the documents are collected, the applicants are attending the police station and co-operating the police machinery, the custodial interrogation of these applicants is not required. Hence, Criminal application is allowed. The interim protection granted on 29/09/2025 is hereby confirmed on the same terms and conditions.
9. Criminal application stands disposed of.

JUDGE