



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

CRIMINAL APPLICATION (BA) NO.336 OF 2025
(Shri Dumdeo s/o Chotelal Chouragade 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. R.P Dixit, Advocate for the applicant.
Ms S.V. Kolhe, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- APRIL 29, 2025.

By this application, the applicant is seeking bail as he came to be arrested on 13/07/2024 in connection with Crime No.287/2024 registered with Ganeshpeth Police Station, Nagpur for the offences punishable under Sections 409 and 420 read with Section 34 of the IPC.

2. The crime is registered on the basis of the report lodged by Manish Meshram on an allegation that he is working with Tulip Diagnostics in Bhopal, Madhya Pradesh. On 03/09/2019, One Sudesh Dongre and Chandrashekhar Jamgade, who are his friends came to his house and informed about the company by name FVM Advisory and Consultant Pvt. Ltd, Baleshwar, Soro Orissa which gives 3% interest per month on the deposits made with it. Thereafter, the complainant has invested the amount as well as he has also asked the other persons

with whom he was acquainted with to invest the amount. Initially, he has received the returns and subsequently, the company stopped paying the returns, and therefore, he approached the police station. As far as present applicant is concerned, allegation levelled against him is that he being the employee of the said company was arranging the meetings and inducing various investors to invest the amount. On the basis of said allegation, a crime was registered against him and after completion of the investigation, the charge-sheet is submitted.

3. Learned Counsel for the applicant submitted that present applicant was working with the said company and was getting commission against the same. Only role attributed to him is that being an employee, he was arranging the meetings and as he was working for the said company asking the investors to invest the amount but when he came to know that the investors are not receiving the returns he immediately made his grievances by filing an application with police. He submitted that whatever amount received by him in his account is towards his commission. It was the other co-accused who committed the said offence being the office bearers of the company. He submitted that on his complaint no action was taken and thereafter the complainant has lodged this FIR. He further submitted that the amounts are invested by the investors, directly depositing the amount in the account of the company. Thus, the applicant has not received any

monetary benefits against the said investment. Therefore, his further incarceration is not required.

4. Learned APP strongly opposed the said application on the ground that during investigation it revealed that present applicant has received pecuniary gain as the amounts are invested by the various investors. His role reveals from various statements of the witnesses which shows that the present applicant was involved in arranging the meetings and inducing the investors to invest the amount. Thus, considering the role of the present applicant and considering the involvement in an economic offence, the application deserves to be rejected.

5. On hearing both the sides and on perusal of investigation papers, it reveals that there is no dispute as to the fact that the present applicant was working with the said company, various investors have invested the amount. The investigation papers also show that the present applicant was prime in arranging the meetings and zoom meetings of the office bearers of the company with the investors. As far as the present applicant is concerned he has only received the amount of commission. No amount is received from the investors by him in his account. Now, investigation is completed and charge-sheet is filed. The trial will take its own time for its final disposal. The applicant cannot be kept behind bar for an indefinite period. Hence, the application deserves to be allowed by

imposing certain conditions on the present applicant. Accordingly, I proceed to pass following order:

(i) The application is allowed.

(ii) The applicant – Shri Dumdeo s/o Chotelal Chouragade in connection with Crime No.287/2024 registered with Ganeshpeth Police Station, Nagpur for the offences punishable under Sections 409 and 420 read with Section 34 of the IPC, be released on 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 month i.e. on First Saturday of every month and the Police Station Officer shall record his presence.

(iv) The applicant shall not leave the jurisdiction of Nagpur City without seeking prior permission of the District Court, Nagpur or the Special Court, Nagpur.

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

(vi) The applicant shall furnish his Cell Phone Number and address with address proof before the Special Court.

(vii) The applicant shall not deal with his properties by way of transfer in any manner without seeking permission of this Court.

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

7. The application stands disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*