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940.aba.629.2025

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

CRIMINAL APPLICATION (ABA) NO.629 OF 2025

Shrikant Mahadeo Ghatе

Vs.

State of Maharashtra, through Police Station Officer, Shegaon (Bu),
District Chandrapur

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

Court's or Judge's orders

Mr. Anil Mardikar, Senior Counsel a/b Mr. Digvijay Prakash Singh, Counsel
for the applicant.

Mr. N. B. Jawade, APP for non-applicant / State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 22/08/2025

1. Apprehending the arrest at the hands of police in connection with Crime No.93/2025 registered with Police Station Shegaon (Bu), District Chandrapur for the offence punishable under Sections 318(4), 316(5), 316(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and under Section 3 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999 (MPID), the applicant approached this Court for grant of pre-arrest bail.

2. Heard learned Senior Counsel for the applicant, who submitted that applicant is the Secretary of Shivraxmi Mahila Nagari Sahakari Pat Nidhi Limited. The allegation against the present is that he and other office bearers have induced the various investors to invest the amount on the

promise of giving handsome returns and duped them. On the basis of the said report, police have registered the crime against the present applicant. Learned Senior Counsel submitted that the investors have invested the amount after understanding the scheme. As far as the present applicant is concerned, there is no specific role attributed to him being the Secretary, he has signed some documents. As far as the custodial interrogation is concerned, which is not immediately required as the entire investigation revolves around the documentary evidence. In view of that, he be protected by granted ad-interim protection.

3. Learned APP strongly opposed for the same on the ground that considering the various investors are coming forward making similar type of complaints, the custodial interrogation of the present applicant is required. In view of that, the prayer for grant of ad-interim protection deserves to be rejected.

4. On hearing both sides and on perusal of the recitals of the FIR, it reveals that investors have invested the amount after understanding the scheme and the cheques were issued to them towards the return of the amount which were appears to be dishonoured. As far as the present applicant is concerned, the role attributed to him that the cheques are signed by him. Admittedly, the entire

investigation revolves around the documents and immediate custodial interrogation of the present applicant is not required. In view of that, the prayer for grant of ad-interim protection deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

(i) In the event of arrest, in connection with Crime No.93/2025 registered with Police Station Shegaon (Bu), District Chandrapur for the offence punishable under Sections 318(4), 316(5), 316(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and under Section 3 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999, the applicant **Shrikant Mahadeo Ghate** shall be released on ad-interim anticipatory bail, on executing PR bond of Rs.25,000/- with one solvent surety in the like amount.

(ii) The applicant shall attend the concerned Police Station once in a week on Monday between 10.00 a.m. to 1.00 p.m. and shall cooperate with the investigating agency.

(iii) The applicant shall not leave the jurisdiction of Shegaon (Bu) without prior permission of the District Court Chandrapur.

(iv) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

5. Learned APP waives notice for the State and seeks time to file reply.

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6. Stand over after three weeks.

(URMILA JOSHI-PHALKE, J.)

Sarkate