



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

CRIMINAL APPLICATION (ABA) NO.730/2025

(Pratik Sanjay Umate and another Vs. The State of Maharashtra, through P.S.O., P.S. Wardha (City), Tah. & Distt. Wardha)

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

Court's or Judge's orders

Mr. P.S. Kadam, Advocate for the applicants.
Mr. Ujjawal Phasate, A.P.P. for the non-applicant/State.

CORAM: MRS.VRUSHALI V. JOSHI, J.
DATED: 13.11.2025.

The applicant is apprehending arrest in Crime No.1176/2025 for the offence punishable under Sections 118(4), 308(2) and 3(5) of the Bharatiya Nyaya Sanhita.

2. It is alleged that the applicant Nos.1 and 2 were engaged in installation of management of Adhar Kit and machine regarding registration and operation of Adhar card with the help of various Village Level Entrepreneur (VLE). The office of District Collect, Wardha received complaint from more than 18 VLEs that the applicant Nos.1 and 2 were constantly harassing them physically and financially for providing Adhar Kit machine and related services to them. They were constantly demanding various kind of amount from VLEs either by way of online and offline mode. These 18 VLEs submitted application that the said amount was being collected for giving it to higher authorities at District Collector office. Upon receipt of said complaint, District Collector, Wardha conducted an internal inquiry and subsequently, it was found that the applicant Nos.1 and 2 were demanding illegal money from 18 VLEs from time to time from 2022 till August 2025. Applicant Nos.1 and 2 approximately have

received Rs.3,86,470/- by way of online mode and Rs.13,70,000/- by way of cash. Therefore, the informant lodged the report and upon such report, crime is registered.

3. The learned Advocate for the applicants has stated that the applicants have not committed any offence. The amount of Rs.50,000/- were deposited as bank guarantee for the Adhar Kits. False complaint is lodged against these applicants. Seventeen VLEs have deposited amount of Rs.8,50,000/- to MAHAIT as a bank guarantee. The applicants have filed pursis and have given calculations about offline and online amounts received by them. There is a difference of Rs.5,06,000/-. The applicants are ready to deposit the said amount. The applicants have filed on record representations made by other VLE's stating about the proper behaviour of these applicants. Forty-five VLE's have given signatures that the applicants have not done any misappropriation and everything is going on smoothly. The applicants have also filed on record some documents in that regard. As the Reltel Company has taken over the charge from MAHAIT and has not given information about the bank guarantee, therefore, the complaints were lodged.

4. Learned A.P.P. has stated that an internal enquiry was conducted on receiving complaint and it was found that there is misappropriation. The learned A.P.P. has filed an additional affidavit on record and has demonstrated how the applicants have committed crime and taken Rs.14,73,020 from the poor VLEs.

5. The learned A.P.P. opposed the application stating that as the huge amount is misappropriated by these applicants, their custodial interrogation is necessary. Hence, prayed to reject the application.

6. Heard both sides and perused the record.
7. On perusal of record it appears that on the complaint of 18 VLEs the crime is registered. An internal enquiry was conducted and crime is registered.
8. On perusal of pursis filed by the applicants it is seen that they have given bifurcation how the amount was received and for what purpose the amount was received. The applicants are ready to deposit some of the amount which according to the complainant the applicants have received in excess. On perusal of the additional affidavit it appears that there is dispute about the amount which the applicants have received, which can be resolved or it can be considered even without taking the applicants in custody.
9. Considering the nature of the offence and as the applicants are ready to deposit the amount, application is allowed.
 - i) It is directed that in the event of arrest of the applicants - Pratik Sanjay Umate and Chandrashekhar Taterao Taksande, in connection with Crime No.1176/2025, registered with Police Station Wardha (City), for the offence punishable under Sections 118(4), 308(2) and 3(5) of the Bharatiya Nyaya Sanhita, the applicants shall be released on bail on furnishing P.R. Bond in the sum of Rupees Twenty Five Thousand each with one solvent surety in the like amount.
 - ii) The applicants shall not in any way tamper with the prosecution evidence.
 - iii) The applicants shall not pressurize or threaten the prosecution witnesses.
 - iv) The applicants shall attend the concerned police station on every Monday and Saturday between 7:00 p.m. and 9:00 p.m.

- v) The applicants shall co-operate with the Investigating Officer.
- vi) As the applicants are ready to deposit an amount of Rs.5,06,000/-, direction is given to the applicants that they shall deposit an amount of Rs.5,06,000/- in Court within a period of two weeks.

(MRS.VRUSHALI V.JOSHI, J.)