

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

CRIMINAL APPLICATION (ABA) NO. 772/2025

Bhaskar Raoji Khoye and Ors. Vs. State of Maharashtra

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

Court's or Judge's orders

Mr. S. V. Sirpurkar, Advocate for the Applicants.
 Ms M. A. Barabde, A.P.P. for the Non-applicant/State.

CORAM : MRS.VRUSHALI V. JOSHI,J.

DATED : 13/10/2025.

. Heard.

2. Issue notice to the non-applicant, returnable after vacation

3. The learned A.P.P. waives service of notice for non-applicant/State.

4. The applicants have apprehension of arrest in Crime No.910/2025 registered at Police Station Gadchiroli, District Gadchiroli for the offences punishable under Sections 406, 420 read with Section 34 of the Indian Penal Code.

5. The First information Report is lodged against Vainganga Mahila Nagari Sahakari Patsanstha, Maryadi, Gadchiroli. The allegations are made against these applicants for misappropriation. On the basis of audit report, the crime is registered.

6. The learned Counsel for the applicants has stated that as per the audit report, the enquiry was conducted and in enquiry all the applicants were exonerated by the Assistant Registrar. The Assistant Registrar has informed the police for cancellation of the First Information Report. The learned Counsel for the

applicants has stated that without conducting a preliminary enquiry as per Section 173(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023, the crime is registered. The permission of the Assistant Registrar is mandatory, which is not obtained. The mandatory provisions of Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 of issuance of notice is also not complied and the offence is registered. The offence is registered against the dead person also. Hence, prayed to protect the applicants by granting anticipatory bail.

7. The learned A.P.P. opposed the application stating that misappropriation of huge amount is disclosed when the audit was conducted. All the applicants are the Directors and their custodial interrogation is necessary. Hence, prayed to reject the application.

8. Heard both the learned Counsel for the respective parties.

9. After going through the record, it appears that the Assistant Registrar has issued a letter for cancellation of the First Information Report. As per the enquiry report, all the applicants were exonerated. There is no compliance of Section 35(5) of the B.N.S.S. Act.

10. Considering the above said facts, the case is made out to protect the applicants by granting ad interim anticipatory bail. Accordingly, I pass following order:

i] It is directed that in the event of arrest of the applicants namely 1. Bhaskar Raoji Khoye, 2. Asha Rajiram Raut, 3. Anjira Rawji Khoye, 4. Manda Maroti Kawale, 5. Trupti Parshuram Munghate, 6. Sindhu Baliram Nawghade,

7. Lata Bhaurao Navghare, 8. Chetana Vilas Thakur, 9. Sunita Premdas Kove, 10. Nutan Vinayak Korde, 11. Chanda Devrao Burande, 12. Shalu Ramchandra Khoye, 13. Priya Pravin Kowe, 14. Alka Ghansham Raut, 15. Gita Vinayak Borkute in connection with Crime No.910/2025 registered at Police Station Gadchiroli, District Gadchiroli for the offences punishable under Sections 406, 420 read with Section 34 of the Indian Penal Code, applicants shall be released on bail on furnishing P.R. Bond of Rs.25,000/- each with one solvent surety each 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 applicant shall attend the concerned police station on every Monday between 1:00 p.m. to 2:00 p.m. excluding the period of Diwali festival.

v] The applicants shall co-operate the investigation officer.

The protection shall remain in force till next date.

(MRS. VRUSHALI V. JOSHI, J.)