



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

CRIMINAL APPLICATION (ABA) NO.772/2025

(Bhaskar Raoji Khoye and others Vs. State of Maharashtra, through Police Station Officer, Gadchiroli Police Station, Distt. Gadchiroli)

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

Court's or Judge's orders

Mr. D.S. Sirpurkar, Advocate for the applicants.
Ms. M.A. Barabde, A.P.P for the non-applicant/State.

CORAM: MRS.VRUSHALI V. JOSHI, J.
DATED: 3.12.2025.

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.

2. 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.

3. The learned Advocate 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 Advocate 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.

4. 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.

5. Heard both the learned Advocates for the respective parties.

6. The learned Advocate for the applicant has submitted that interim protection was granted on 13.10.2025. The applicant is attending the police station and cooperating with the police machinery.

7. Learned A.P.P. conceded that the applicant is cooperating with the police machinery in investigation.

8. Considering the reasons given while granting interim protection on 13.10.2025 interim protection is confirmed on the same terms and conditions by relaxing condition to attend the concerned Police Station on every Monday between 1:000 p.m. to 2:00 p.m. and directing the applicant to attend the concerned police station as and when called by the Investigating Officer.

(MRS.VRUSHALI V.JOSHI, J.)