IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2821 OF 2024

Pritam Dhanrajji Samdadiya …Applicant
Versus
The State of Maharashtra …Respondent

None for the Applicant.
Ms. G. P. Mulekar, APP, for the Respondent-State.
Mr. Jagdish G. Borse, API, Kalwan Police Station, Nashik Rural, Nashik, present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 17th FEBRUARY 2026

PC:-

1. None appears for the Applicant.

2. Heard Ms. Mulekar, learned APP appearing for the Respondent-State. With the assistance of Ms. Mulekar, learned APP, I have perused the papers.

3. This application is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking pre-arrest bail in connection with C.R. No.185 of 2024 registered with Kalwan Police Station,

Sonali

Nashik, for the offences punishable under Sections 406, 419 and 420 of the Indian Penal Code, 1860.

4. A learned Single Judge by order dated 21st October 2024 has granted interim protection which continues till date.

5. The prosecution case is set out in paragraph No.3 of the said order dated 21st October 2024 passed by a learned Single Judge, which reads as under:

> "*3. The informant in the present case has raised a grievance that upon an impression given by the applicant, who was working with a finance company called Jeevansh Fincom Private Limited, she parted with amount of Rs.1,26,260/- for obtaining loan of Rs.35 lakhs from the said finance company. According to the informant, having transferred the said amount along with a further amount of Rs.5,500/- in favour of the finance company, the loan was never disbursed and she also lost the aforesaid amounts deposited with the finance company.*"

6. The reasoning given by a learned Single Judge while granting interim protection is to be found in paragraph Nos.6 and 7 of the said order dated 21st October 2024, which reads as under:

> *6. This Court is of the opinion that the statement of the informant, as well as the statements of two other similarly situated persons, show that the amounts in question were all transferred into the bank account of the finance company. It is not even alleged that the amounts were transferred in the account of the applicant or that they were handed over to the applicant for being given to the finance company. In that sense, prima facie only the finance company appears to be the beneficiary of the said amounts. The documents on record show that the applicant was indeed appointed as Area Manager and hence, an employee of the finance company, on 1st August 2023. The documents on record also show that even the applicant had transferred about Rs.50,000/- to the finance company, in order to obtain loan and even he was not given the loan by the finance company. In such a situation, it is a little surprising that till date, the Investigating Authority has not thought it fit to arraign the persons concerned and responsible for the said finance company as accused persons, although this Court is informed that notices have been issued to them.*
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> *7. Be that as it may, the applicant has made out a prima facie case in his favour for granting him interim relief, as the documents on record show that he was working as an employee (Area Manager) of the finance company and the amounts were transferred in the bank account of the finance company. He is ready to cooperate with the investigation."*

7. Perusal of the record shows that the Applicant is having interim protection since 21st October 2024 and there is nothing on record to indicate that the said protection has been misused.

8. Accordingly, the Anticipatory Bail Application is allowed and disposed of in terms of the order dated 21st October 2024.

[MADHAV J. JAMDAR, J.]