

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.4 OF 2026**

Vidya Rajesh Kamble
V/s.

... Applicant

The State of Maharashtra & Ors.

... Respondents

Mr. Sandeep Karnik a/w Vivek Upadhyay a/w Darsh Gala i/by Priyanka Karnik for the Applicant.

Mr. V. N. Sagare, APP for the Respondent-State.

PI Jagdish Panhale, EOW, Unit-8, Mumbai is present.

API Shweta Belhekar, EOW, Unit-3, Pune is present.

CORAM : N.R. BORKAR, J.

DATE : 22ND JANUARY 2026

PC. :

1. Mentioned out of turn.
2. This is an Application under Section 447 of the Bharatiya Nagarik Suraksha Sanhita, 2023.
3. The Applicant is one of the accused in Special MPID Case No.8 of 2017 pending before the Special MPID Court at Pune and MPID Special Case No.6 of 2018 pending before the Special MPID Court at Mumbai.
4. I have heard Learned Counsel for the Applicant and Learned APP for the Respondent-State.
5. Learned Counsel for the Applicant submits that the accused in both the cases are common. It is submitted that the allegations against accused in both the cases are similar. It is submitted that to avoid any conflicting decisions, both cases need to be tried by one and the same court.

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6. I have perused the charges framed in both the cases. The charges reads thus :

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Charge-mpid case-6/2018

EXH-93
IN THE DESIGNATED COURT UNDER M.P.I.D. ACT AND
ADDL. SESSIONS JUDGE,
CITY CIVIL & SESSIONS COURT, GREATER BOMBAY
MAHARASHTRA PROTECTION OF INTERESTS OF DEPOSITORS
(IN FINANCIAL ESTABLISHMENTS) ACT (MPID)
CASE NO.06 OF 2018

The State of Maharashtra
(through EOW, Unit VII, Mumbai)

...Complainant

V/s.

1. Vidya Rajesh Kamble
2. Ajay Madhav Prabhudesai
4. Rajesh Dinkar Kamble

..Accused.

CHARGE

I, Nitin G. Shukla, Designated Judge and Addl. Sessions Judge,
Mumbai, hereby charge you accused :

1. Vidya Rajesh Kamble (accused no.1)

2. Ajay Madhav Prabhudesai (accused no.2)

4. Rajesh Dinkar Kamble. (accused no.4)

as follows -

Firstly : That, during 2012 to July 2015, you above named accused in furtherance of common intention with other accused, deceived the informant and other investors by offering lucrative return benefit and attractive interest in various schemes and fraudulently induced them to part and invest Rs.3,96,55,000/- in M/s. Evolve Consultancy, firm of you accused no. 1 and failed to return on demand to them said amount with return benefit and caused wrongful loss to them and thereby committed offence punishable u/s.420 r/w.34 of Indian Penal Code and within the

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Charge-mpid case-6/2018

23 cognizance of this Court.

Secondly: That you above named accused alongwith other accused, during the above period and place, being proprietor and persons responsible for the conduct of affairs of the Financial Establishment 'Evolve Consultancy', received deposits total of Rs.3,96,55,000/- from the informant and others on assurance to give lucrative returns benefit and attractive interest in various schemes of the company and committed fraudulent default in repayment of the amount of deposits with benefit/returns as assured to the informant and others and thereby committed offence punishable u/s.3 of the Maharashtra Protection of Interest of Depositors (Financial Establishment) Act, 1999 and within my cognizance.

And I hereby direct that you be tried by this court on the said charge.

Sd/-

(N.G. SHUKLA)

Designated Judge under MPID Act,
City Civil & Sessions Court,
Gr. Bombay (C.R.No.20).

Dt. 8.10.2025

The contents of the charge are read over and explained to the accused in vernacular. They pleaded not guilty and claimed to be tried.

Sd/-

(N.G. SHUKLA)

Designated Judge under MPID Act,
City Civil & Sessions Court,
Gr. Bombay (C.R.No.20).

Dt. 8.10.2025

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IN THE COURT OF THE SPECIAL JUDGE (UNDER MPID
ACT), AT PUNE

18/31

SPECIAL MPID CASE NO. 08 OF 2017

PUNE State of Maharashtra

Vs.

Rajesh Kamble and ors.

CHARGE

I S.S. Gosavi, the Special Judge, Pune do hereby charge you accused :-

1. Vidya Rajesh Kamble

Age- 37 years, occu : real estate

R/at lane no. 5, s.no. 311, near Ashirvad mangal karyalaya,

Sasanenagar, Hadapsar, Pune

c/o brother-Santosh Nanaware.

2. Amol Chandrakant Shaha

Age- 43, occ- business

R/at- Flat No. 104, B-2, Arihant Residency,

Sasanenagar, Pune-28

3. Ajay Madhav Prabhudesai

Age- 42, occ- driving,

R/at- S. No. 73/6/1, Swami Sadan, Bharti Vidyapity,

Katraj, Pune.

As follows :

1. That, you all accused alongwith absconding accused no. 4 namely Rajesh Kamble from 2009 to 12.07.2016 at shop no. 36, Brmha Majestic, NIBM

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Road, Kondhwa, Pune during the course of the same transaction, either individually or in furtherance of your common intention hatched a criminal conspiracy by you accused that agreed to do or cause to do an illegal act to commit offence under MPID Act and as per agreement, committed said act, and you have thereby committed an offence punishable under section 120-B r/w 34 of the Indian Penal Code and within in cognizance.

2. That, you all accused alongwith absconding accused no. 4 namely Rajesh Kamble on the above mentioned date, time and place and during the course of same transaction, either individually or in furtherance of your common intention, dishonestly induced to informant and depositors to invest huge amount in your Company i.e. "EVOLVE Consultancy", which was not registered and you had given false promise to repay them 60 % interest yearly. On the said deposit and investment, and after maturity of the said deposits you accused did not repay the maturity amount to the depositors on their deposits along with the returns as mentioned in your scheme, and you have thereby cheated and misappropriated the said informant and depositors of Rs. 14,38,12,500/ and you have thereby committed an offence punishable either under Section 420 of the Indian Penal Code read with 34 of the Indian Penal Code, and within my cognizance.

AND

3. That you all accused alongwith absconding accused no. 4 namely Rajesh Kamble on aforesaid day, date, time and place and during the course of same transaction, was entrusted with the cash amount from the possession of the informant and depositors and converted the same for your own use and committed criminal breach of trust in respect of the aforesaid entrusted property and you are thereby committed an offence punishable under section 406 of the Indian Penal Code simplicitor or under Section 406 read with 34 of the Indian Penal Code, and within my cognizance.

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AND

That you all accused alongwith absconding accused no. 4 namely Rajesh Ramble on aforesaid day, date, time and place and during the course of same transaction, you accused no.2 to 4 being the Director of "EVOLVE Consultancy" fraudulently defaulted the repayment of investors on their investment on maturity promised by you all accused at the time of investment against the deposit made with your company by above named informant and depositors, and thereby committed an offence punishable under Section 3 & 4 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999, and within my cognizance.

AND I hereby direct that you be tried by me on the aforesaid charges.

Pune
Date :- 17/11/2021

(S.S. Gosavi)
Special Judge, Pune

The contents of the aforesaid charges are read over and explained to the accused in vernacular today by me in open Court.

Pune
Date :- 17/11/2021

(S.S. Gosavi)
Special Judge, Pune

17.11.21

7. The allegation in both the matters appears to be similar. If both the matters are decided by different courts, the possibility of conflicting decisions can not be ruled out. Learned APP for the Respondent-State, on the instructions from the investigating officers in the respective cases, submits that the MPID Special Case No.6 of 2018 pending before the MPID Special Court, Mumbai be transferred to the Special MPID Court at Pune, where the Special MPID Case No.8 of 2017 is pending. In that view of the matter, the following order is passed:

ORDER

- i. The Criminal Application is allowed.
 - ii. MPID Special Case No.6 of 2018 pending on the file of the MPID Special Court, Mumbai shall be transferred to the Special MPID Court at Pune where Special MPID Case No.8 of 2017 is pending.
8. The Criminal Application is disposed of in the aforesaid terms.

(N.R. BORKAR, J.)