



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

CRIMINAL APPLICATION (ABA) NO. 285 OF 2026

(SHASHANK S/O RAMNARAYAN SAHU

VS

STATE OF MAHARASHTRA THR PSO., PS KALMESHWAR TAH. AND DIST. NAGPUR)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders or directions
and Registrar's orders.*

Court's or Judge's order

Mr. Y.R.Gyanchandani, Advocate for the applicant.
Mrs.M.R.Kavimandan, APP for respondent.

CORAM : RAJNISH R. VYAS, J.

DATE : MAY 08, 2026

1) Apprehending arrest, in connection with Crime No. 144 of 2026 dated 17/02/2026, registered with Police Station Kalmeshwar, Tah. and District Nagpur, for the offence punishable under Sections 316(2), 316(5) and 318(4) of the Bharatiya Nyaya Sanhita, 2023, the applicant who was named as accused No.4 has approached this Court.

2) The informant is one Nandkishor, who in the FIR has alleged that he is working on the post of Branch Manager with Bharat Financial Inclusion Limited, Kalmeshwar. He further alleged that the applicant was one of the employees/Field Assistants of the said company and was under an obligation to collect the installment amount for repayment of the loan from the customers and deposit the same with the said company. According to the FIR several complaints were received from the borrowers regarding non-closure of their account despite repayment of the loan amount and therefore, inquiry was

conducted in which it was found that the applicant had defalcated amount of Rs.52,832/-.

3) Learned counsel for the applicant has argued that the applicant is not involved in the alleged misappropriation of the amount, which is very meagre, and therefore, he be protected. He further argued that this Court on 04/05/2026, has granted ad-interim anticipatory bail to him and he has also attended and co-operated with the Investigating Agency.

4) Per contra, learned APP has opposed the application contending that the quantum of amount itself would not decide the seriousness of allegations.

5) With the help of respective counsels, I have gone through the record of the case. The allegations made in the FIR are very specific. The applicant was working as a Field Assistant in Bharat Financial Inclusion Limited and was under an obligation to collect the installment amounts towards repayment of loans from the borrowers and deposit the same with the said company. The FIR further shows that although the applicant had collected the amount, he did not deposit the same with the said company. Thus, the allegations prima facie make out a case against the accused. As regards the contention that amount involved is meagre, suffice it to say that the quantum of amount, by itself, would not be a criteria for deciding seriousness of the offence. As prima facie case is made against the present applicant, I am not inclined to allow the present application. Hence, the application is rejected.

(RAJNISH R. VYAS, J.)