

MHKO010037022023 	<u>Order below Exh.74 in Special Case No.224/2023.</u> Dattatraya Dadu Patil Vs. State of Maharashtra
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1] This application is filed by applicant/accused No.1 – Dattatraya Dadu Patil for interim bail. Accused was arrested in CR No.112/2023 under Sections 420, 406, 409, 120(B) R/w.34 of IPC and under Section 3 of MPID.

Prosecution story in nut shell is as under -

2] In July 2021, the informant got acquainted with Dattaraya Patil, R/o. Borwade, Tal.Kagal, Dist.Kolhapur. At that time Dattatraya Patil informed him that he is engaged in the business of trading along with his wife Dipali Patil under the company namely Dhanshanti Multi-trading Services L.L.P. After the assurance given by Dattatraya Patil, initially he invested an amount of Rs.1,00,000/- and received returns of Rs.11430/-. Therefore, from time to time he invested an amount of Rs.81,20,000/- till the end of June 2022. After that the returns were stopped by accused No.1 and Dipali Patil since February, 2022. When the informant made inquiry, they informed that the investment is made with huge trading company situated at Pune. After lapse of few months, the money were not returned and due to consistent demands of investors, Dattatraya Patil informed him that the money has been invested with Nitin Gote, resident of Pune. Thereafter, accused No.1, Dattatraya Patil took them to Pune and arranged a meeting of some investors with Nitin Gote, whereby Nitin Gote assured them to handover the flats from the project of his business partner Ajinath Deokar. Accordingly they have visited the project and after due discussion, agreement to sale and Power of attorney have been executed at Registrar Office, Pune in between investors and Ajinath and Archana Deokar for 12 flats situated at

Hadapsar Pune, by that time the construction work was in progress. After lapse of 4 months, the investors went to take the possession of flats. However, Ajinath Deokar informed them that the consideration amount for flats was not handed over to him by Nitin Gote and hence, he is unable to transfer the possession of flats. Thereafter, by one or the other reasons Dattatraya Patil, Nitin Gote and Ajinath Deokar avoided to conduct a joint meeting and by these circumstances, informant realized that he was cheated by all accused. He further furnished the details of other 8 investors and money invested by them. Accordingly, he lodged the FIR. Accused No.1, Dattatraya Patil was arrested on 06/07/2023. Accused No.2, Dipali Patil and No.5, Archana @ Sakhubai Deokar were arrested on 12/07/2023. Thereafter, they were taken into judicial custody. The informant lodged FIR against the accused being C.R. No.112/2023 at Murgud Police Station under Sections 406, 409, 420 R/w. 34 of I.P.C. and Section 3 of the M.P.I.D.Act.

3] The applicant/accused No.1 has preferred regular bail application i.e. Bail Appln.No.951/2025 before the Hon'ble High Court, Bombay and same is posted for hearing on 24/06/2025. On 15/05/2025, the applicant/accused has developed critical health issues. He was shifted to CPR Hospital, Kolhapur as an emergency patient. As per medical report the applicant/accused is suffering from 'acute intraparenchymal bleed noted in (L) thalamus'. The applicant/accused is under medical treatment at the CPR Hospital. He is unable to move his legs and hands. So also the applicant is unable to speak. Hence, it is necessary to take the applicant/accused to the multi-specialty hospital for the further medical treatment.

4] The Investigating Officer filed say vide Exh.75 and objected said bail application.

5] Heard Ld.advocate Mr.Bongarde for the applicant/accused and Ld.APP Mr.Peerjade for the State. The Medical Superintendent of C.P.R. Hospital, Kolhapur filed medical report of the applicant/accused dtd. 09/06/2025.

6] In the above facts and circumstances, this Court found that as per the report of CPR Hospital, Kolhapur, after examination of applicant /accused, they advised him physiotherapy and for follow-up after 30 days. The Jail Superintendent and Medical Officer (Dr.) of Kalamba Jail, Kolhapur informed this Court that they are giving medical treatment to the present applicant/accused No.1 and at present his physical condition is stable, he used to walk and to take food and medical treatment regularly. This Court also verified the health of accused No.1 through Video Conference and found that the health of the accused is improving and he is stable. This Court rejected the bail application of present applicant/accused on 03/12/2024. The wife of applicant/accused No.2, Smt.Deepali Dattatraya Patil already granted bail by this Court.

7] In the above facts and circumstances, this Court come to the conclusion that there is no change in circumstances. The offence is serious in nature. There is no recovery of an amount of Rs. 4,16,90,000/-. The applicant/accused No.1 is prime accused. This Court not agreed to grant bail to the applicant/accused No.1 at this stage. Hence, this Court proceed to pass following order.

ORDER

The bail Application (Exh.74) of the applicant/accused No.1, Dattatraya Dadu Patil is hereby rejected.

(Shailendra Tambe)

Date :- 13/06/2025

Additional Sessions Judge, Kolhapur

