

MHNS070006642026

Criminal Bail Application No. 260/2026

Suyog Arun Tatar

Vs.

State Thr Manmad City Police Stn.

**ORDER BELOW EXH. 01**

This is application is filed by applicant under section 482 of BNSS with respect to crime No.92/2026 registered with Manmad City police station for the offence punishable under Sections 318(4) of B.N.S.

**Arguments:-**

2. Advocate Shri. Akkar for applicant submitted that in complaint/FIR itself complaint has admitted the fact that he received amount of Rs.11,22,000/- from applicant. He submitted that, there is no agreement between first informant and applicant regarding return of interest on the amount. He submitted that, the applicant obtained hand loan from first informant and same was returned to him. The complaint is filed after delay of one year. The statement of applicant he recorded by I.O nothing is to be recovered and so application be allowed.

3. Whereas, APP Shri. Phulpagare submitted that, the applicant promised to return principal amount along with profit at the rate of 5% per month to first informant. He also promised to return the further taken amount within 17 months. Applicant returned only the principal amount but not return the profits accrued or it. he submitted that, there is Whatsapp chatting between first informant and applicant regarding same. So considering these aspects application be rejected.

**FIR in Brief :-**

4. In complaint/FIR lodged by complainant it is alleged that in May 2020 applicant induced complainant to invest amount in the scheme and he will give him profit at the rate of 5% per month. So from 04/06/2020 to January 2022 he invested amount of Rs.5,80,000/- with applicant. In March 2022 applicant asked him if he invested Rs.10,00,000/- then he will return Rs.17,00,000/- within 17 months. So, on 30/03/2022 he invested further 5,00,000/-. From 08/10/2020 to 09/01/2025 applicant returned Rs.11,22,000/-. However, applicant not returned invested principal amount.

5. On the basis of said complaint crime under section 318(4) of B.N.S is registered against applicant. Perused the investigation papers submitted by APP.

6. On the basis of material on record it appears that,

- i. For the first time in May 2020 applicant induced complainant to invest amount in scheme and he will return him the profit at the rate of 5% per month. So complainant invested amount with applicant.
- ii. Thereafter, in March 2022 for the second time applicant induced complainant to invest amount of Rs.10,00,000/- and thereby he will return him Rs.17,00,000/- within 17 months. Accordingly, first complainant invested further amounts.
- iii. Applicant returned Rs.11,22,000/- to complainant.
- iv. However, applicant not returned the invested principal amount to complainant.

v. There is a Whatsapp chatting between complainant and first informant whereby it appears that the applicant deceived complainant that he will pay Rs.17,00,000/- within 17 months. If complainant invest Rs.10,00,000/-.

7. On the basis of material on record it appears that since inception it was intention of applicant to deceive complainant and thereby he obtained huge amount from complainant but not returned the invest principal amount. Thus, a case is made out against applicant.

8. The huge amount is involved in the crime applicant played active role in the crime.

9. Complainant gave writtern complaint to police and only after Additional S.P Malegaon giving written sanction to lodge crime the crime was registered. Even if there is some delay in lodging FIR but the accusations are well founded.

10. Considering the nature and seriousness of offence, role attributed to applicant, huge amount involved in the crime, punishment provided for offence this court is not inclined to protect applicant. Hence, follwing order is passed.

**ORDER**

Application is rejected.

Date :- 12.03.2026

( D. Y. Gaud )  
Additional Sessions Judge  
Malegaon