

ORDER BELOW EXH. 33

Present application is filed by accused for bail. He contended that delay to file complaint can be seen from the FIR. Delay is not properly explained. The Accused is falsely implicated in the offence. He has not committed any offence. He has not misappropriated any amount. As per complaint misappropriation of Rs. 6,10,000/- is alleged. Some of the amount has been recovered by police. The accused has no connection with misappropriated amount. He has not committed wrongful of the informant. There are no other offences against Accused. Charge-sheet has been filed. Investigation is complete. He is only earning member of his family. To complete the transaction between accused and complainant, other witnesses, accused requires bail. He has returned amount of some people. The prior application of accused had been rejected on the ground that the offence is serious and relating to economic transaction. Accused is permanent resident of given address, having landed property. No purpose will be served if he kept in jail. The Accused will not tamper evidence or witnesses. He is ready to follow conditions given by the Court. He will not abscond if released on bail and will remain present on every date without fail. He ready to furnish bail with surety. Hence, prayed to allow the application.

2. Ld. APP has given say and strongly opposed to release accused on bail on the ground that, offences are non bailable and of serious nature. The offence of cheating and misappropriation having punishment of imprisonment up to 10 years or life imprisonment. The accused had cheated 26 victims. The nature of offence is economic the cheated amount is huge one. He is habitual offender. The criminal offences u/s 138 of the N.I. Act in SCC 461/2025, SCC 905/2024, SCC 886/2024 are pending against accused. Role of accused in offence is clear. This the

second bail application filed by the accused. The previous bail application of the accused was rejected. If accused released on bail he may be abscond & tamper to prosecution witness and may mis-use his liberty and may commit same type of offence in future. Hence, prayed to reject application.

3. Heard both parties at length.

4. Accused is resident of Gulunche Tal. Purandar Dist Pune. On perusal of documents it clears that the offence is serious and economic. The list of 26 victims is shown in the charge-sheet. As the nature of offence is economic the cheated amount is huge. The recovery is not complete. The criminal record shows that, there is possibility that if accused released on bail, there is no possibility to recover the amount of victims. Many victims have been cheated by the accused. Huge amount involved in the offence. The amount will never be recovered by accused. He may not attend the court for evidence. He may prolong the matter or may take disadvantage of his liberty. The offence is of economic nature. The record does not entitle him to get released on bail. For these reasons discussed above I am inclined to pass following order:

ORDER

: Application Exh. 33 is hereby rejected.

Saswad.
Date :- 13.11.2025

Sd/-xx
(Mrs. S. K. Deshmukh)
Judicial Magistrate First Class,Saswad.