

MHRG170130772019



**IN THE COURT OF DISTRICT JUDGE-1 & ADDITIONAL  
SESSIONS JUDGE, PANVEL RAIGAD**  
**ORDER BELOW EXHIBIT 53 IN SPECIAL MPID CASE NO. 554/2019**  
**(Dated 11/04/2023)**

1] The applicant/accused No.17 **Sunita Narayan Lonare** is seeking bail as per section 439 of Cr.P.C. in C.R.No.54/2004 registered with Uran police station, for the offences p/u/section 406, 420, 120 (B) of IPC and under section 3 of Maharashtra Protection of Investors and Depositors Act, 1999.

2] It is submitted that, the applicant/accused is in custody since 28/01/2020. She is unnecessarily implicated in the crime. It is submitted that applicant was performing her duty in Adhunik Bhuvikas Vittiya Corporation Ltd.Nagpur as a clerk and has no concern with the financial transaction of the company. In her lengthy bail application, she has narrated the facts of the FIR, the history of the financial transactions etc. In the application the various duties and role of deputy manager, director, resolutions passed by Board of Directors, are mentioned. The important aspect is that applicant has filed writ petition for quashing FIR and same is sub-judice before Hon'ble

Bombay High Court. Further the applicant has filed various documents on which bail is sought.

3] Investigation agency opposes bail by say at Exh.55. According to investigation agency the said non-financial company had received deposits of Rs.70,87,384/- from 1710 depositors. The depositors are not repaid with their money after the period of maturity. With regard to present applicant/accused, prosecution submits that there are 23 crimes registered against present applicant/accused of misappropriated huge amount. It is submitted that present applicant/accused was absconding and proclamation under section 82 of Cr.P.C. was issued against her. Thereafter she was arrested.

4] Ld.Adv.for the applicant/accused has filed written notes of arguments. Ld.Adv.for the applicant has filed on record various documents of the financial institute alongwith FIR.

5] At the out set it be noted that as per provisions of MPID Act, every person including office bearers, directors, employees of the financial institute, are equally liable for punishment.

6] The nature and gravity of alleged offence and the conduct and behaviour of the accused, are the aspects to be considered while deciding bail application. It is matter of record that, various financial crimes are registered against applicant.

Though she is mere clerk, facts remains that number of crimes are pending against her and this reflects her conduct. Applicant/accused was absconding, initially charge-sheet was filed against her, declaring her as a absconding accused as per section 299 of Cr.P.C. Considering all these aspects, I find no justification to enlarge applicant/accused on bail. Hence, following order.

**ORDER**

1. The application Exh.53 is rejected.
2. Inform concerned police station.
3. Copy of order be sent to Aadharwadi Prison by E-mail.

Panvel  
Date :- 11/04/2023.

( Jairaj D.Wadne )  
Additional Sessions Judge,  
Panvel-Raigad

I affirm that the contents of this P.D.F. file order are same, word to word, as per the original order.

Name of the stenographer : S.J.Sheth  
Name of the Court : Additional Sessions Judge,  
Panvel Raigad  
Date of dictation : 13/04/2023  
Order signed by the P.O.on : 13/04/2023  
Order uploaded on : 13/04/2023