

**ORDER BELOW EXH.24 IN SPECIAL CASE NO.53/2024
(State of Maharashtra Vs. Nanasaheb Bhosale & Ors.)**

01. Heard Ld. Adv. Shri. V.A.Deshmukh for applicant and Ld. A.P.P. Shri.N.D.Muke, for State. Perused application supported by affidavit, say of prosecution and the record.

02. According to applicant Ms.Rajashri Nanaso Bhosale, she is the third party applicant. Her husband is accused No.1, against whom and others, C.R.No.874/2023 is registered at Satara City Police Station, for the offences punishable U/ss.406, 409, 420 r/w.34 of I.P.C. & Ss.3 & 4 of M.P.I.D.Act. He is released on anticipatory bail. In said crime, platinum Pearl-white colour Fortuner Car No. MH/11/DD/6655, of which Chassis Number is MBJAA3GS900580724-0123 & Engine Number is 1GDA695734 seized by the police. If said vehicle is kept at police station, it will be damaged. It is standing at the same place since last seven months. So many parts of it are damaged. Hence she filed this application for custody of said vehicle. It is supported by affidavit & copies of R.C.T.C.Book, Aadhar-card etc.

03. Prosecution filed pursis at Exh.44 and adopted the say of I.O. as its say. According to the prosecution, accused No.1 cheated for crores of rupees to the mini depositors. From said amount, he purchased properties in the name of his wife, sister, mother-in-law etc. Investigation Officer provided the details of the properties purchased by him. He is the partner with Sachin Pralhad Pandit, the founder of Vishwakarma Super Mart Services Pvt. Ltd. As he has already released on anticipatory bail, investigation is now became complicated. He has experience of multi level marketing. In a very planned manner he and his partners cheated the peoples. So, I.O. raised strong objection to return the property.

04. It reveals from the F.I.R. that, it is registered on 10.10.2023 at 20.20 hrs. According to the complainant, he came in contact with accused No.1 Nanasaheb Bhosale in December 2022 due to business. In January 2022 he introduced him to accused Nos.2 to 4 and expressed his desire to invest money in their company, who is offering interest @ Rs.13.5% p.a. They also offered commission, if he brings more investors. Accordingly, he invested Rs.12,00,000/- in the name of his wife and himself in the Company of accused Nos.2 & 3 namely Vishwakarma Super Mart Services Pvt. Ltd. In April 2023 Company paid him Rs.81,000/- as a interest and thereafter company stopped paying So, he contacted all the accused, but they avoided for one or the other reason. As he found cheated and got knowledge that other investors are also cheated like him, he lodged this complaint.

05. In view of allegations in the F.I.R. and the grounds raised in the say of I.O., though applicant is claiming as third party, admittedly she is the wife of prime accused. Many properties are purchased in her name. She has not given any source to her independent income. Allegations are very serious. Yet all accused are not arrested. If vehicle is returned there will be hurdle in investigation. Hence considering the vast scope of investigation, there are chances of tampering with this evidence. So, following order is passed.

ORDER

1. Application is rejected.
(Pronounced in open Court).

Place : Satara
Date : 07.10.2024.

Kamala V. Bora
Special Judge (Under M.P.I.D.Act)
Satara.