

ORDER BELOW EXH.81 IN SPECIAL CASE NO.53/2024
(State of Maharashtra Vs. Nanasaheb Bhosale & ors.)

01. Ld. Adv. Shri.V.B.Patil for applicant, Ld. A.P.P. Shri.N.D. Muke for State. Perused application, say and the record.

02. This application is filed by accused No.2 Sheetal Sachin Pandit herself through jail, U/s.439 of Cr.P.C. in C.R.No.874/2023 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.

03. According to applicant, she is arrested on 19.01.2024 and now she is in MCR. She has committed no offence and falsely implicated. Since one year she is behind the bar as prisoner. No-one on her behalf to look the Court work. She has no parents-in-law. She has parents, but they are old aged persons. She have three younger children and no-one is there to look-after them. She along with her husband Sachin Pandit are in jail since 19.01.2024. Investigation is complete and charge-sheet is filed. She is permanent resident of given address and ready to abide all conditions. So, application be allowed.

04. Prosecution filed say at Exh.90 and objected the application alleging that According to them, in between month of December 2022 to 10.10.2023 applicants contacted complainant and requested to invest in their Company by name "Vishwakarma Super Mart Services Pvt. Ltd." Applicants accepted amount of Rs.12,00,000/- from the complainant. Applicants assured informant that, they will pay lucrative interest @ 13.5% p.m. and shall pay interest on monthly basis. For initial some months, applicants paid return

Rs.81,000/- to complainant, but later applicants denied to return his amount. Thereafter the complainant realized that, he has been cheated for the amount of Rs.11,19,000/-. One Popat Shinde also has been cheated for the amount of Rs.20,47,000/-. Investigation is in progress. Considering the gravity of the offence and the allegations in the F.I.R, detail police probe is necessary. Investigation to that effect is to be carried out. So, if applicant is released on bail, then possibility of absconding, vanishing the evidence and pressurizing the witnesses cannot be ruled out. Some amount is recovered from the culprits in the crime. So, application be rejected. To support, they have filed affidavits of investors, various complaint applications filed by the investors to S.P. Satara, complaint dtd.14.03.2024 filed by them, copy of application regarding of addition of sections dtd.14.03.2024.

05. From the perusal of F.I.R., it reveals that, it is registered on 10.10.2023 at 20.20 hrs. in which applicants are shows as accused Nos.2 & 3. 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 is bringing 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 payment. So, he contacted all the accused, but they were avoiding 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. During the investigation, it is transpired that, accused have cheated to the tune of Rs.97,45,520/- by obtaining investments by various investors. So they were arrested and matter investigated further. It further revealed during investigation that, accused are accepted Rs.120,00,00,000/- by accepting the investment from the peoples. I.O. reported that it is not their business to accepting deposits as per their Articles of Association registered with the Registrar of the Companies.

06. Now perusal of charge-sheet shows that this applicant along with her husband played active role in the commission of crime. She is on of the director. There are no change of circumstances after rejecting of her earlier application. Allegations are very serious. Investigation is still continuous in this offence. Since prima-facie involvement of the accused with regards to the huge amount is revealed, there are chances of her absconding and tampering of evidence by her. So no ground can be considered unless and until prime witnesses are examined. Trial can be expedited. Hence following order is passed.

: ORDER :

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

**Place : Satara.
Date : 03.02.2025.**

**Kamala V. Bora
Special Judge, Satara.**