In the Court of Additional Sessions Judge, (Court No.2) Wardha.

Criminal Bail Application No.262/2026
(CNR: MHWR010011102026)

Pravin Manohar Borkar .. **Applicant**

..V/s..

State of Maharashtra,
Through P.S.O., Sindi. .. **Non-applicant**

Order below Exh.1
(Passed on 23rd July, 2026)

The present application is filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with Crime No.710/2026 registered with Police Station, Wardha (City) for the offences punishable under Sections 316(5), 318(4), 336(3) and 340(2) of the Bharatiya Nyaya Sanhita, 2023.

2] It is the case of the prosecution that the informant was well acquainted with the applicant as they were neighbour. In the year 2011, the informant has sold out his block and at that time the applicant was manager of Wardha Urban and Rural Cooperative Society, he pursued the informant to invest the amount in the bank. Due to family relation the informant handed over Rs. 20,00,000/- to invest in the name of the informant and his sons. The applicant has also gave the certificate of FD to the informant, which was renewed from time to time. Thereafter, the applicant informed the informant that in all Rs. 11,00,000/- interest is accumulated on the amount of deposited by the informant and on this pretext, took away the FD from the informant. Not only that the informant also handed over the gold ornaments to deposit in the bank, which were of value of Rs.15,00,000/-. The applicant used to bring back the ornaments whenever it is demanded by the informant.

3] It is further urged that in January 2026, the informant came to know that applicant made misappropriation in the account of the various investors in the bank. Therefore, informant tried to contact the applicant, but the phone of the applicant was closed. When the informant visited the bank, he came to know that the applicant has withdrawn huge amount by making his forged signature. Not only that, he has prepared forged document by using the name of the informant entered in to the transaction of crores of rupees. After making the correspondence with the bank and collecting the documents, report was lodged against the applicant. In pursuance of which offence under sections 316(5), 318(4), 336(3) and 340(2) of the BNS came to be registered against him. The investigation is commenced, the investigation officer collected account extracts and other documents. The applicant is before the Court for bail.

4] According to the applicant he has no nexus with the alleged offence. He is suffering from serious health issues and admitted to Kasturba Hospital, Sewagram and further incarceration likely to be serious prejudice to his health. It is further contended that the entire case is based on documentary evidence which are already in custody of investigating agency. It is further averred that the transaction in the present case pertains to year 2013 and 2017, whereas the FIR came to be lodged in 2026, and therefore, inordinate delay of several years. On all these averment, the applicant prayed for bail.

5] The application is opposed by the prosecution vide reply Exhibit 6.

It is contended that applicant has committed cheating to the tune of crores of rupees. The amount towards FD has yet to be seized. Apart from the informant, the applicant has cheated so many investors. It is also alleged that one of the investor has deposited installment of loan, but the applicant without depositing the amount in bank diverted it in his own account. As such on all these averments, it is alleged that investigation is in progress and therefore, if the applicant is released on bail he may hamper the investigation.

6] I have given anxious consideration made at bar. It appears from the FIR itself that the report is lodged in the name of the applicant only. The informant has given the specific details about the amount, he has given to the applicant. Moreover, it appears from the case-diary that the investigating officer has seized the bank account extracts of the applicant. The applicant is having accounts in various banks and there is huge transaction in the accounts. That apart informant, other investors are still approaching the police in respect of their amounts which is allegedly taken by the applicant. The investigation is in progress and according the ld. APP some of the documents are yet to be seized. I found much force in the submission of the ld. APP that investigation in the present case is to be carried with free and fair manner and if applicant is released on bail, he may influence the witnesses. The prima-facie case is made out against the applicant and as such, it is not proper to release the applicant on bail. Hence, the order :

<u>Order</u>

(i) Application is rejected.

(ii) Case diary be returned to the Investigating Officer.

(iii) Inform the concerned Police Station accordingly.

SYED AMEER SYED MOHAMMAD ALI

Digitally signed by SYED AMEER SYED MOHAMMAD ALI
Date: 2026.07.23 18:22:26 +0530

Date: 23/07/2026

(S.A.S.M. Ali)
Additional Sessions Judge,
(Court No.2), Wardha.

<u>C E R T I F I C A T E</u>

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

(Anil N. Nakhate)
Stenographer Gr.-I