

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE,
WASHIM, TQ.DIST. WASHIM.**

Special ACB Case No. 35/2022.
State +1 Vrs. Ashok and others
Crime No.389/2020, P.S. Risod.
CNR No.MHWS01-000846-2022

ORDER BELOW EXHIBIT 31.

(Passed on 21.07.2022)

This is an application filed by applicant/accused Upendra Gunwantrao Muley for grant of regular bail under section 439 of the Code of Criminal Procedure in Crime No.389/2020 of Risod police station for the offence punishable under Sections 406, 420, 408 read with Section 34 of the Indian Penal Code. Later on Section 468 and 471 of the IPC came to be added and again for the offence punishable under Section 13(1)(a)(b), 13(2) of Prevention of Corruption Act were added.

2] The prosecution case in Crime No.389/2020 may be summarized as under -

On 02/02/2020 complainant lodged a report at police station Risod alleging that on 07/07/2019 in the morning at 5.00 a.m., Ashok Gandole along with his associates had been to the office of the Sansthan at Washim. It was alleged that there they took cash of Rs. 7 corers and documents. It is alleged that there is a misappropriation of Rs.18,18,40,867/- done by the accused persons.

3] It is further alleged that non-applicant Nos. 1 to 4 have committed fraud and for that complainant formed a committee and said committee asked Ashok Gandole about the account of said amount. He told that whatever amount he has taken, he has given it to Upendra Mule. He has also stated that on the say of Upendra Mule, he has given cheque of Rs.3,70,00,000/- dated 31/01/2020 of D.C.B. Bank to committee and remaining amount will be paid in cash. It is also alleged that accused Upendra and others gave threats that if any complaint is lodged at police station, they will file false case against them. On the basis of above complaint, PSO registered the Crime No.389/2020 on 12/05/2020.

4] According to learned advocate Shri U.A. Deshmukh, the entire investigation is tainted with political interference. In FIR, there are no allegations against the present applicant. FIR came to be lodged on the basis of inquiry report. However, there is no resolution for appointment of such inquiry committee. Inquiry committee has not found any person with exact amount of which he has committed a fraud. Initially, investigation was carried out by SDPO, Washim, Pavan Bansod. He prepared spot panchanama on 13.05.2020 and as per panchanbama, he called information from the trust. But trust has not given any response. He conducted house search of accused Ashok, and thereafter, present IO came to be appointed.

5] IO recorded the first statement of complainant on 30.05.2020. From that statement, it is clear that there was no connection between present applicant and Ashok. So, provisions of Section 120(B) and Section 34 of the IPC are not applicable. Second statement was recorded on 22.07.2020. At that time also, no allegations against present applicant. In the internal Audit Report submitted by Shaikh Hakim, there is no mention of present applicant. Till the recording of third statement of complainant, she has not made any allegations against the applicant. Report dated 07.07.2019 shows that Rs. 7 crores were taken away and audit was done up to year 2018. In the Audit Report of Shaikh Hakim, nowhere he mentioned that applicant has committed a fraud. Shoeb is a member of inquiry committee and he is also witnesses to the incident dated 07.07.2019. In his statement, nowhere he states that applicant gave a cheque, but other witnesses stated at the inquiry committee that Upendra gave a cheque. Report of forensic auditor shows that final conclusion cannot be given unless redrafting of account is made. Present applicant was appointed as a auditor since 2014. Defalcation is from 2010. Shri Vyavahare was auditor since 2008. But he is not made accused.

6] As per power of attorney dated 06.07.2007, the entire authority was given to Ashok Gandule. However, one trustee cannot delegate its power to other trustee. Power of

attorney was cancelled on 25.07.2019. At that time, all trustees were present at Sub Registrar Office. Record shows that on 25.11.2019, trust was converted into company. Resolution to that effect was passed. All the trustees have signed on it. Prior to this, on 28.09.2021, there was an agreement of closure. Application was filed before the Charity Commissioner and rights were given to take money from Ashok Gandule on 27.03.2020. So, question arises why complainant did not ask for money at that time. Record also shows that Ashok Gandule has filed application to Charity Commissioner for dismissal of proceeding. Memorandum of Association of Mahila Utkarsha Pratisthan shows that all the powers are with president. There is no provision for delegation of power to secretary. But power of attorney executed on 06.07.2017 shows that all rights were delegated to Ashok Gandule. It is his submission that all the acts done by the secretary cannot be denied by the complainant. Complainant by document dated 19.04.2003, the power of attorney in respect of her personal property is also given in favour of Ashok. This power of attorney was cancelled on 25.07.2019 by registered agreement. When this document was executed, both persons were present before Sub Registrar Office. But there is no mention of earlier incident that Ashok taking away Rs. 7 crores.

7] According to learned advocate, when any misappropriation is made, Assistant Charity Commissioner

will have to conduct inquiry. Record his finding and gave his report to the Charity Commission and he will fix the liability. Unless such things are done, Court has no jurisdiction to consider this fact. In our case, no such thing happened. According to complainant, she came to know about the role of applicant from Samadhan, who is employee. IO recorded his statement. In his statement, he states that entire work was done by principal and he does not know Ashok. His statement also shows that there was no interference by accused Upendra.

He has relied upon authority reported in **2015(3) ALL MR 897 (S.C.) Charu Kishor Mehta Vrs. Joint Charity Commissioner, Greater Bombay Region and Ors.**

8] According to learned advocate, one Tirumala company of complainant was closed and to do additional work, applicant engaged another CA and said company was revived and for that purpose, amount of near about 39 lacs was spent. This amount was received by applicant on 21.06.2016. This is a civil liability and limitation is of three years. Complainant cannot take benefit of criminal law for making recovery of amount. Record shows that applicant was contesting the matter before Company Law Tribunal and for that, he received cheque of Rs.19 lacs. Applicant is not concern from where this amount was brought. This was a legal transaction and more amount is yet to be received.

According to learned advocate, in the present case, nowhere it is mentioned that complainant demanded the amount from Ashok. No notice was given to him. Amount is of trust and not of her own. Incident of theft is dated 07.07.2019. On 25.07.2019, complainant and Ashok were together for cancellation of power of attorney. 24.07.2019 is the last date when amount was paid to the applicant. 28.09.2019 is the date of signing of relinquish deed. Upendra is the witness to the said document. On 25.06.2019, letter was issued by the complainant to applicant to appear before Income Tax Department in respect of trust matter. There is no document to show that during the period 14.06.2019 to 24.07.2019, Ashok operated the locker. But it is the case that on 07.07.2019, Rs. 7 crores was stolen by Ashok and it was kept by him in the locker and after opening the same, amount was given to the applicant.

9] According to learned advocate, applicant has not induced anybody. So, provision of Section 420 of the Indian Penal Code is not applicable. He has relied upon authority reported in -

1)AIR 2022 SC 826, N.Raghavendar v. State of Andhra Pradesh, CBI.

2) 2009 AIR SCW 3976, Harmanpreet Singh Ahluwalia and Ors v. State of Punjab and Ors.

10] He further submitted that applicant was not the employee of trust. No property was entrusted with him. So,

Section 409 of the Indian Penal Code is not applicable. He has also relied upon -

3) AIR 1965 SC 1433 Velji Raghavji Patel v. The State of Maharashtra,

4) AIR 1983 SC 631 Roshan Lal Raina v. State of J.and K.

5) 2020(1) Bom. C.R. (Cri.) 482, Madhukar Maroti Chandekar Versus Central Bureau of Investigation (Anti Corruption Bureau, Nagpur),

6) 2015 AIR SCW 4343, Robert John D'Souza v. Stephen V. Gomes.

11] Lastly, he submitted that investigation is complete. Charge-sheet is filed. So, accused be released on bail. He also relied upon following authorities -

7) AIR 2012 SC 830, Sanjay Chandra v. Central Bureau of Investigation,

8) AIR Online 2019 Bom.66, Pankaj Jivdhar Katke v. State of Maharashtra,

9) AIR 2020 SC 1699, P.Chidambaram v. Directorate of Enforcement and

10) bail application No.218 of 2022, Saeed Khan Shergul Khan v. The Union of Indian and Anr, dated 01.07.2022.

12] Learned advocate has also relied upon following authorities -

11) Misc. Appln. No.1849 of 2021, Satender Kumar Antil v. Central Bureau of Investigation and Anr.

12) AIR 2002 S.C. 482, Mehmood Mohammed Sayeed v. State of Maharashtra,

13) 1999 Vol. 101(3) Bom.L.R.418, Ravindra B. Sachadey v. State of Maharashtra and Ors.

14) Aironline 2001 SC 440, M.L.Vardukar v. State of Gujarat.

15) AIR 2005 S.C.2277, Ranjitsing Brahmajeetsing Sharma Vrs. State of Maharashtra and another.

13] Learned APP filed say at Exh.56. According to learned APP, initially investigation was with Pavan Bansod, SDPO. He was probationary officer. However, as his father died, charge was with present IO. So, further investigation was carried by him. Special resolution was passed for the appointment of present applicant as a C.A.. C.A. Hakim conducted the internal audit. On the basis of voucher available and on that basis, report was filed. He conducted the internal audit. On the basis of committee formed for the detection of fraud. As per the FIR all the transactions in respect of defalcation were prior to 2019 and at that time, Mahila Utkarsha Pratisthan was in existence. Applicant was appointed as a C.A. It is his submission that submission of learned advocate for the applicant that complaint ought to have filed before Assistant Charity Commissioner about the defalcation, cannot be accepted because FIR is about

cognizable offence. On 15.05.2020, intimation was given to Charity Commissioner. There is no bar for investigation by police. Statement of earlier C.A. Shri Vyavahare dated 24.02.2021 clearly shows that question was asked to him as to whether trust is in existence or not and he has stated that matter is subjudice and at present it does not appear that pratisthan is dissolved.

14] According to him, Ashok Gandule was member of Mahila Utkarsha Pratisthan. He has transferred various amount from Mahila Utkarsha Pratisthan to Bhavana Agro. He was also member of Bhavana Agro. So, it was necessary to show the details of said transactions in row No.8 of Audit Report, but the remark is 'No'. According to him, auditor has to maintain audit work file. Such file is not maintained. There is no resolution about how much amount was to be paid as a fee to auditor. It is his submission that Ashok was having whole-sole authority of all trust's accounts. He was a lay man and it was the present applicant who played active role in transferring the amount from one account to other account. So, if he is released, further investigation will be hampered. Hence, prayed for rejection of application.

15] Learned advocate Shri Undal appearing for the complainant filed say at Exh.55. According to learned advocate, complainant is cited as a witness. She is aggrieved

party. She is interested person and can participate in the proceeding. In support of his contention, he has relied upon authority in -

1) Criminal Writ Petition (Stamp) No.3122/2020, Directorate of Enforcement Vrs. State and others, and

2) AIR Online 2021 SC 398, Cri. Appeal 571/2021, D.on 20.7.2021, Kumer Singh Vrs. State of Rajsthan and Anr.

16] According to him, provisions of Maharashtra Public Trust Act will be applicable and in support of his contention, he is relied upon -

1) Criminal Writ Petition No.1915/2011, Nakkheeran Publications +1, Vrs. Dhyanaapeeta Charitable Trust, D.on. 16.08.2011.

2) 2010(1) ALL MR 648 (F.B.), Shyamabai Wd/O.Surajkaran Joshi and Ors. Vrs. Madan Mohan Mandir Sanstha.

3) 2014(1) ALL MR 810, Shyambai Wd/O. Surajkaran Joshi and Ors. Vrs. Madan Mohan Mandir Sanstha,

17] It is his contention that filing of charge-sheet cannot be considered as a change in circumstances and if accused is released on bail, he may bring pressure upon the witnesses and considering the fact that accused played meyor role, his bail application be rejected. In support of his contention, he is relied upon -

1) 2006 ALL MR (Cri) 2866, Adnan Bilal Mulla Vrs. State Through D.C.B. C.I.D.,

2) 2012 ALL MR (Cri) 3075, Pradeep S/O. Gyanchand Raisonni Vrs. The State of Maharashtra.

3) 2018 ALL MR (Cri) 283, Deepak Khubchand Bajaj Vrs. The State of Maharashtra and Anr., and

4) Criminal Appeal No.649/2022, Ms.Y Vrs. State of Rajasthan and Anr.

18] This Court has heard advocates for both the parties at length. Considering the fact that IO collected bulky documents and charge-sheet is of 9,777 pages.

This Court is deciding 4th bail application of present applicant. Court has given opportunity to learned advocate from both the sides on earlier three occasions also to argue the matter daily barring, one or two occasion. This fact was clearly mentioned by the learned advocate while concluding their arguments on earlier occasion also.

19] In this case, after conclusion of arguments on 14.07.2022, learned APP and the advocate for the complainant orally submitted that they want to file on record certain xerox copies of relevant documents relied by them from charge-sheet and some authorities in respect of their contention, so that it will be easy for the Court to decide the matter considering the bulky documents collected during the investigation. So, Court adjourned the matter till 21.07.2022,

i.e. for seven days, as Court has to decide total three bail application in this case. Advocates were asked to submit the xerox copies and authorities during this period accordingly on 16.07.2022, learned APP filed on record the xerox copies of documents relied by him and authorities.

20] On 19.07.2022 learned advocate Shri Undal appearing for the complainant submitted his authorities.

21] While granting bail, the court has to keep in mind the nature of accusations, the nature of evidence in support thereof, the severity of the punishment which conviction will entail the character of the accused, circumstances which are peculiar to the accused, reasonable possibility of securing the presence of the accused at the trial, reasonable apprehension of the witnesses being tampered with the larger interests of the public/State and other similar considerations.

22] In the present case initially applicant approached to the Hon'ble High Court U/s. 482 of Cr.P.C. However, his petition was dismissed. Then he moved to Hon'ble Apex Court, however, his SLP was not admitted. It is submission of Advocate for applicant that whatever amount he received, it was received for the work done by him and he has shown it in his IT returns and statement of Ashok Gandole that he has given the amount to applicant cannot be used against him. However, if we consider the material collected by the Investigating Officer during the investigation it reveals that

during the period 2008 to 2013 Manish Vyavhare was working as a Statutory Auditor. Entries in the accounts of applicant shows that amount was transferred in his account during the year 2009-10 and 2011. If, really he was not Auditor then question arises why the amount was transferred from the account of Trust to the account of applicant. Record shows that during the period 2009 to 2019 amount of Rs. 81,50,000/- was transferred in the account of applicant from Bhavana Public Trust and Mahila Utkarsha Pratisthan. During the investigation the Investigating Officer collected the I.T. return of applicant for the period of 2013 to 2018 and every year he has shown amount which he has received from Mahila Utkarsha Pratisthan. If IT return of year 2019 is seen Audit Fees Liability is not shown. There is no entry in that regard.

23] It is the submission of learned advocate for the applicant that there is no specific allegations against the present applicant in FIR. Moreover, there were no specific allegations till the IO recorded third statement of complainant. It is his submission that as applicant refused to redraft the accounts, he has been falsely implicated.

However, this submission cannot be accepted because primary object of FIR is to set criminal Law into motion and it is not necessary to give every minute details. Court has to examine role that has been attributed to accused by prosecution. In the present case, IO collected material

which shows that large sum was transferred to the account of applicant. It is settled position that if role of accused is established, then balance may not tilt in favour of accused because details are not given in FIR.

24] It is the case of the prosecution that Ashok Gandole was looking after the financial transactions. He is a layman, so he took the help of this applicant who is a C.A. to misappropriate the funds of various trusts accounts. In the year 2019-20 it is shown that applicant had received Rs.2,42,00,000/- towards his fees. GST is applicable since 2017. If really he got such fees then he should have submitted the bill of GST, which is not submitted by him. Moreover, the documents shows that in Audit Report submitted by him for the year 2013-2019 with Charity Commissioner shows that for the year 2014-18 every year he has received either Rs. 35,000/- or Rs. 50,000/- as a fees and he has shown total fees received as Rs.5,00,000/-. All above things show that there was close proximity between applicant and Ashok. Applicant was not only working as Auditor but working with Ashok in transferring amount from bank accounts.

25] It is to be noted that for the transaction of Mahila Utkarsha Pratisthan 26 bank accounts were opened. Prosecution has filed on record the detail chart showing account numbers, opening balance and closing balance for the year 2013 to 2018. Applicant being an Auditor it was his duty

to show details of all accounts while submitting Audit Report to Charity Commissioner. However, record shows that only 7 bank accounts were shown for the year 2013-14, 18 bank accounts for the year 2014-15, 10 bank accounts for the year 2015-16 and 11 accounts for the year 2017-18 were shown. It is also pertinent to note here that Bank of India, account Risod was closed in the year 2015-16. Even then for the year 2017-18 balance of Rs.5,37,294/- is shown. This shows that he has played a vital role in all financial transactions.

26] Record shows that from the account of Ashok Gandole Rs. 85,00,000/- were transferred to the account of applicant. If, it is traced, how that amount came to his account, it reveals that initially on 04/07/2019 from Mahila Utkarsha Pratisthan amount of Rs.1,20,00,000/- was transferred to Bhavana Agro Products & Services Pvt. Ltd. and on the same day from Bhavana Agro Product & Services Pvt. Ltd. Rs.85,00,000/- were transferred to the account of Ashok Gandole and after sometime from the account of Ashok this amount was transferred to the account of applicant. If, really applicant was to receive the amount from Mahila Utkarsha Pratisthan then directly it should have been transferred to his account.

27] Balance-sheet of March 2017 of Mahila Utkarsha Pratisthan shows on asset side the amount to the tune of

Rs. 8,17,15,000/- from Bhavana Agro Products and Services Pvt. Ltd. If this asset was received then it must be reflected in the balance-sheet for the year March 2018 but that amount is not appearing in the balance-sheet. It is also to be noted that to form Bhavana Agro Products and Services Pvt. Ltd. E-mail Id of applicant was used and its Directors are Ashok Gandole, his wife and one Prakash. This shows his proximity with Ashok. Being an Auditor it was his duty to show correct figures in the statement filed with Charity Commissioner but he has not done so.

28] Present applicant do not submit true account of trust to Charity Commissioner. He was expected to work as watchdog to protect the public money, which he has not done. He got transferred huge amount to his own account and now he can't say that he being C.A. was not responsible for misappropriation or he has not induced anybody and for that reason his arrest is illegal and he is entitled for bail. Considering his role, he has not made out prima facie case for bail.

29] Learned advocate submitted that the Section 409 of the IPC is not applicable. He has relied upon authorities in this regard as mentioned earlier.

In the present case, trust was having various accounts. In that accounts, students taking education used to deposit of the amount. Moreover, grants from the Government

was also received in these accounts. Allegations are that accused misappropriated the amount and they used that amount for acquiring properties in their names. So, allegation is not in respect of breach of trust of any particular person, but the Government amount and the amount deposited towards fees was used for committing this offence for personal gain and causing loss to the Government and students. This offence was committed pursuant to the conspiracy among all accused persons. The real victim were the students and the Government. Amount was used for personal gain. Considering this aspect of prosecution, Court has on earlier occasion held that offence punishable under Section 409 of the IPC and P.C. Act are made out.

30] While deciding the earlier bail application, (Criminal Bail Application No.152/2022, dated 13.06.2022) Court has specifically held (After considering authorities relied upon.) that submission of advocate that accused has not induced anybody, he is not public servant, he being CA was not responsible for misappropriation and his arrest is illegal are not acceptable. Now, again his submission cannot be considered while deciding the present application. Remedy available to him is to challenge the order.

31] Now question is once Court has already held that duties rendered by the applicant were as a public servant, his

submission in this application that since Section 409 of IPC is not applicable as he is not a public servant and he is entitled for bail cannot be accepted. So, authorities cited by learned advocate in this regard will not be helpful to him.

32] Although there is no quarrel with respect to the legal propositions canvassed by the learned counsel, it should be noted that there is no straitjacket formula for consideration of grant of bail to an accused. It all depends upon the facts and circumstances of each case. The Government's interest in preventing crime by arrestees is both legitimate and compelling. So also is the cherished right of personal liberty envisaged under Article 21 of the Constitution. Section 439 of the Code of Criminal Procedure, 1973, which is the bail provision, places responsibility upon the courts to uphold procedural fairness before a person's liberty is abridged. Although, "bail is the rule and jail is an exception" is well established in our jurisprudence, we have to measure competing forces present in facts and circumstances of each case before enlarging a person on bail.

33] If we see account of applicant,
(A) on 14.07.2019, Ashok transferred Rs.84,000/- from his Washim Urban Co-Operative Bank, Branch Risod account No.2640 to account of applicant (No.31772163976) by RTGS.
(B) On 24.07.2019, Ashok deposited in his

account with Janata Bank, Risod Rs.1,00,30,000/- and immediately transferred the above amount to the account of applicant Upendra by RTGS in his above account (*****3976).

(C) Audit Report of Mahila Utkarsha Pratisthan dated 31.03.2016 shows advances to Bhavana Agro Rs.3,42,00,000/-, but there is no such entry in Bhavana Agro.

(D) Audit Report of Mahila Utkarsha Pratisthan dated 31.03.2017 shows advances to Bhavana Agro, Rs.8,17,15,000/-, but no entry in Bhavana Agro.

(E) In the year 2018, balance-sheet of Mahila Utkarsha Pratisthan amount of Rs.8,17,000/- is squared off which was shown in the year 2017.

(F) If we see Audit Report for the year 2017-18 in row No.8 wherein it is mentioned that-

8. Whether the income or property of the **trust** was used or applied during the previous year for the benefit of any such person in any other manner? If so, give details.

Remark is shown as 'No'.

34] It is admitted position that Ashok Gandule was

member of Mahila Utkarsha Pratisthan and Bhavana Agro. If amount was transferred between both these two trusts, then it was obligatory on the part of auditor under Section 13(B) to give details, but in remark column 'No' is mentioned.

35] All the transactions under the investigation are prior to converting of trust into company and at that time, trust was in existence. FIR was in respect of cognizable offence and after starting investigation, intimation was given to Charity Commissioner. Moreover, there is no bar for investigation by police in trust matter. As per Section 47 of The Indian Trust Act, 1882, trustee cannot delegate, but that restriction is not absolute. Some explanation is added to it. Whether delegation is in regular course of business or the delegation is necessary, is the matter to be decided by the Court during the trial.

36] Moreover, provisions of Section 47 of the Indian Trust Act are not applicable to the Public Trust. In the present case, by executing power of attorney in favour of Ashok, he was authorised to operate all the accounts. This fact shows that power of attorney expressly confers authority upon the Ashok to operate the accounts. This cannot be said to be violation of any principle of Law applicable to generally to Public Trust. The Court is deciding the bail application and Court is not expected to go into the merits of the case. From the documents collected during investigation, it is clear that

amount was transferred to the account of applicant from trust's account for which no satisfactory explanation is there.

In view of this fact, submissions of learned advocate for the applicant in this regard cannot be accepted and authority relied in this regard will not be useful considering peculiar facts of the present case.

37] From the above discussion, one thing is clear that this is not a normal case where investigation is completed, charge-sheet is filed, accused is in jail since long, he may released on bail as trial will take time.

If we consider transactions made by Ashok, it is clear that while withdrawing amount from various Trust's accounts, amount is either transferred to his own account or account of present applicant. When amount is transferred by Ashok to his own account, then some amount is transferred to account of present applicant. This shows both were working together and I find much force in the submission of learned APP that Ashok introduced applicant to complainant. Ashok is a layman and he takes help of applicant who is C.A. to transfer the amount & he played vital role in this case.

38] Peculiar facts of present case is that misappropriation was made by transfer of amount from various Trust's accounts to account of others. Reasons mentioned in earlier para shows that there was a proximity

between applicant and Ashok Gandule who was having General Power of Attorney and at present, he is absconding. If applicant is released, certainly possibility of tamper of evidence cannot be ruled out as entire evidence is documentary and some documents are yet to be trace out.

39] Today, Court has granted regular bail to other accused, considering the role played by them. In such cases, case of each accused person is required to be decided on the basis of role played by him.

40] Economic offences constitute a class apart and need to be visited with a different approach in the matter of bail. The economic offences having deep-rooted conspiracies and involving huge loss of public funds need to be viewed seriously and considered as grave offences affecting the economy of the country as a whole and thereby posing serious threat to the financial health of the country.

41] The accused is charged with economic offence of huge magnitude and it is alleged that he has played main role. When he was granted interim protection by Hon'ble High Court and asked to remain present before the IO, he did not remain present. Tampering of evidence cannot be ruled out. Learned advocate has relied upon authorities which are already referred in respect of grant of bail. Ratio laid down in said authorities is not disputed. The grant or refusal to grant bail lies within the discretion of the Court. The grant or denial

is regulated to a large extent by the facts and circumstances of each case. The ultimate consideration for grant of bail will be on case to case basis on the facts involved therein and securing the presence of accused to stand trial.

42] In view of the above facts, contention of learned advocate for the applicant that investigation is completed. Charge-sheet is filed and accused be granted bail in view of authorities relied by him referred earlier cannot be accepted.

43] Considering the above mentioned reason, I am of the view that this is not the fit case where applicant has made out a case to grant of bail. Application is devoid of merit and liable to be rejected. So, I reject it and proceed to pass following order.

ORDER

Application Exh.31 is rejected.

Date: 21.07.2022.

(H. M. Deshpande)
Additional Sessions Judge-1,
Washim.

CERTIFICATE

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

Name of Stenographer :- R.R.Bharad, Stenographer (Grade-I)
Name of Court :- Shri H.M.Deshpande,
District Judge-1 and Additional
Sessions Judge, Washim, Tq. Dist.
Washim.
Date of Judgment/ Order :- 21/07/2022
Judgment/Order signed by :- 21/07/2022
the Presiding Officer on
Judgment/Order uploaded on :- 21/07/2022