



(State of Maharashtra Vs. Sopan Changdev Jadhav)

(C.N.R. No. MHAH01-005445-2025)

Order below Exh.13 in Special Case No.280/2025

(Passed on 23.01.2026)

This is the successive bail application filed by Accused No.8 Sopan Changdev Jadhav.

2. Against the Accused, alleged offences are under Section 318(4) r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 3 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999.

3. His first bail application bearing Criminal Bail Application No.1619/2025 is rejected on 31.10.2025 on the ground of embezzlement of huge amount.

4. Heard learned Advocate for the Accused and learned APP for the State. Perused the F.I.R. I have perused the documents at Sr.No.1 to 7 filed along with list Exh.19.

5. I have studied Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 as well as Sections 318(4) r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023 with Section 3 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999. I have also studied the following case laws. They are become profitable to me.

<u>Case Law</u>	<u>Ratio</u>
<u><i>Sanjay Chandra Vs. Central Bureau of Investigation</i></u>	Generally to secure the appearance of Accused person at his trial. Object

<u>2011 AIR SCW 6838</u>	of bail is neither punitive nor preventative.
<u>P. Chidambaram Vs. Directorate of Enforcement (2020) AIR(SC) 1699</u>	Triple test – a) Risk of absconding, b) Tampering of evidence & c) Influencing of witnesses.
<u>Dilip Madhavrao Javale Vs. State of Maharashtra Bail Application No.1156/2018 dated 17.10.2018</u>	Rule of parity
<u>Jawandas Anandrao Dandhare Vs. State of Maharashtra (2022) ALLMR(Cri) 2807</u>	Punishment provided for the offence is severe is not an absolute fetter on the exercise of discretion under Section 439 of the Code.

6. From the F.I.R. it is appear that, it is the outcome of audit report submitted by Informant in respect of the audit of the period April 2023 to March 2024. As per the audit report, he has found the misappropriation of Rs.79,00,000/- in the business of Shri. Vitthal Rukhmini Gramin Bigarsheti Patsanstha. It is alleged that, Dashrath Pund, R/o – Nandgaon, Shingavenike, through Sandip Gadekar has invested the amount in the Patsanstha towards the fixed deposit. He has obtained the receipts in respect of those deposits, however the entries of the same are not reflected in the daily cash book. Though sufficient period is given after issuing notice in respect of such entry, no satisfactory explanation is put on record and thereby it is inclined that, such amount is misappropriated and accordingly F.I.R. is lodged.

7. The learned Advocate for the Accused in his argument submitted that, the other Accused involved in the alleged offence

have released on anticipatory bail and therefore by considering the rule of parity, the present Accused are also entitled to be released on bail. It is further stated that, present Accused is on the better footing than the other Accused because police has interrogated him after his arrest and accordingly requested that considering the position of Accused who are released on anticipatory bail and thereby requested to release him on bail.

8. The learned APP for the State objected the application on the ground that huge amount is misappropriated by the Accused. He is involved in the alleged offence, as well as day to day activities of the Patsanstha and thereby requested to reject his application.

9. The Informant is served vide Exh.17 & 18 but not appear. Hence, against them order passed below Exh.13.

10. After going through the documents it is appear that, in the alleged offence, some Accused are already released on anticipator bail. The copies of their order are filed on record. They bears Criminal Bail Application Nos.1295/2025, 1364/2025, 977/2025, 625/2025 & 1417/2025. I have studied those orders.

11. It is mentioned here that, as per the contention of the Accused, he has resigned from the post in the year 2022. However it is gathered that, such resignation is not submitted to the District Deputy Registrar. Huge amount is involved in the alleged offence. Active involvement of the Accused is established. The F.I.R. is the result of audit conducted by the Competent Auditor. In these facts

and circumstances, it is not just and property to enlarge the Accused on bail. There is no change in circumstances, hence, I am on the opinion that, he is not entitled to be released on bail. Hence, following order is passed.

ORDER

1. The application Exh.13 stands rejected.
2. Matter to proceed further.

Date : 23.01.2026

(Kedar S. Kulkarni)
Additional Sessions Judge,
Court No.05, Ahmednagar.