



**R.C.C. NO. 50 / 2024**  
(MHAH250005112024)  
Nivrutti Palaskar Vs.  
Waral Patil Patsanstha

**ORDER BELOW EXH. 1.**

I have gone through complaint and allegations made against accused in the light of documents filed on record.

2. Heard learned advocate for the complainant.

3. It is matter of record that the prayer of complainant for investigation of the allegations in the complaint as per section 156(3) of the Code of Criminal Procedure was rejected and verification was recorded.

4. The sum and substance of the allegations is that father of complainant had invested his savings of Rs.16,00,000/- (Sixteen lakhs) in fixed deposit with Sahakar Maharshi Kisanrao Waral Patil Patsanstha Nighoj, Tal. Parner, Dist. Ahmednagar on 04.02.2009. It is submitted that accused are officials of the said patsantha. It is alleged that after maturity, when father of complainant demanded the maturity amount to the officials of concern patsantha, they avoided payment of money and after warning by complainant to go for hunger strike, accused paid amount of Rs.5,00,000/-, however, remaining amount is not paid. Allegations further speaks that despite order of District Consumer Forum, Ahmednagar, accused did not pay remaining amount deposited with them in fixed deposit.

5. *Prima facie*, it appears that accused are officials of Sahakar Maharshi Kisanrao Waral Patil Patsanstha Nighoj and they did not pay the maturity amount invested by the father of complainant in their patsanstha in fixed deposit. It appears that the amount was invested by father of complainant in fixed deposits in the patsanstha of accused with trust, however, accused failed to repay the total maturity amount. In view of said allegations, there is substance in the allegations that there is case to proceed against accused for offence punishable under section 406 of the Indian Penal Code. However, there is no case or ingredients are made out so as to proceed against accused for the offence punishable under section 420 of the Indian Penal Code, hence, complaint needs to be dismissed against accused for offence punishable under section 420 r/w 34 of the Indian Penal Code. Issue process against accused nos.1 to 13 for offences punishable under section 406 r/w 34 of the Indian Penal Code returnable on 18.12.2024.

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KESHAV  
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Dated : 25.11.2024  
Parner

( R. K. Deshpande )  
Judicial Magistrate, First Class,  
Court No.1, Parner.