

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 4268 OF 2025

Ravikant Pandurang Rathod ... Applicant
Versus
The State of Maharashtra & Anr. ... Respondents

Ms. Anamika Malhotra i/b Mr. Prasad Arun Kamthe, Advocates for Applicant.

Ms. Shilpa Talhar, APP for Respondent No. 1 – State.

Mr. Akshay Dingale, Advocate for Respondent No. 2.

Mr. N. Thorat – PSI, Ambegaon Police Station, Pune City, present in Court.

CORAM : ASHWIN D. BHOBE, J.

DATE : 27th JULY, 2026

P.C. :

1. Heard, Ms. Anamika Malhotra, learned Advocate for the Applicant, Ms. Shilpa Talhar, learned APP for Respondent No.1-State and Mr. Akshay Dingale, learned Advocate for Respondent No. 2.

2. By the present Application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Applicant seeks bail in C.R. No. 893 of 2024, registered at the Bharati Vidyapeeth

Police Station, Pune, for offences punishable under Sections 406 and 420 read with Section 34 of the Indian Penal Code.

3. Ms. Anamika Malhotra, learned Advocate for the Applicant, states that there are two Accused in Crime No. 893 of 2024. She states that the Applicant is Accused No. 2, whereas Santosh Rathod is Accused No. 1 in Crime No. 893 of 2024. She further states that Crime No. 893 of 2024 is registered as R.C.C. No. 3389 of 2025 and is pending before the Court of the Judicial Magistrate First Class, Pune (“Trial Court”).

4. The prosecution case is that Respondent No. 2 (Informant) was induced by the Applicant and Accused No. 1 to part with Rs. 32 lakhs on the assurance of transfer of plots in Gat No. 144 of village Male, Taluka Bhore, District Pune. The allegations are that, despite Respondent No. 2 having paid Rs. 32,00,000/-, the Applicant and his brother (Accused No. 1) executed a Sale deed in respect of only 23 gunthas. The Sale deed in respect of the balance consideration of Rs. 19,50,000/- has neither been executed nor has the amount been returned. Based on these allegations, Respondent No. 2 has filed a complaint, which has

been registered as Crime No. 893 of 2024.

5. Applicant was arrested on 26.05.2025. Bail Application No. 6229 of 2025 filed by the Applicant was rejected by the Additional Sessions Judge, Pune by order dated 16.10.2025.

6. Ms. Anamika Malhotra, learned Advocate for the Applicant, submits that the allegations against the Applicant in the Crime No. 893 of 2024 are that the Applicant accompanied the Respondent No. 2 along with Accused No. 1 to the property. She submits that Accused No. 1 has executed a part sale deed in favour of the Informant. She submits that the Applicant has been in jail for more than a year.

7. Ms. Anamika Malhotra, learned Advocate for the Applicant, submits that the Applicant received Rs. 10,00,000/-. She submits that the Applicant has deposited Rs. 10,00,000/- before the Trial Court. On instructions from the Applicant, she states that the Applicant has no objection to the Respondent No. 2 withdrawing the said amount. She again, on instructions from the Applicant, gives her no objection to the Respondent No. 2 withdrawing the said amount of Rs. 10,00,000/- deposited before

the Trial Court.

8. Ms. Shilpa Talhar, learned APP for Respondent No. 1-State, submits that the Applicant and Accused No. 1 have induced yet another person (Ashwini Avinash Thopate), by representing that they would sell a plot of land for Rs. 6,50,000/-. She submits that despite receiving Rs. 5,00,000/-, the Applicant and Accused No. 1 have not executed the sale deed. She also submits that the Applicant and Accused No. 1 are involved in another Crime No. 894 of 2024. She submits that in view of the statement made by Ms. Anamika Malhotra, learned Advocate for the Applicant, the Respondent No. 2 be permitted to withdraw the said amount of Rs. 10,00,000/- deposited before the Trial Court.

9. Mr. Akshay Dingale, learned Advocate for Respondent No. 2, submits that although Respondent No. 2 has been handed over possession of the property admeasuring 23 gunthas by way of a registered sale deed, the balance property has not been handed over despite the consideration amount of Rs. 19,50,000/- being paid to Accused No. 1 and the Applicant. He submits that in view of the statement and the no objection given by Ms. Anamika

Malhotra, learned Advocate for the Applicant, Respondent No. 2 shall file an appropriate application before the Trial Court and withdraw the said amount of Rs. 10,00,000/- deposited by the Applicant before the Trial Court.

10. Perused the records with the assistance of the learned Advocates.

11. Perusal of the records indicates that the transaction which is the subject matter of Crime No. 893 of 2024 pertains to a dispute regarding the sale and purchase of property. The statement of Respondent No. 2 in Crime No. 893 of 2024 indicates that the Applicant was present, along with his brother, Accused No. 1, when the plot was shown to Respondent No. 2.

12. Ms. Anamika Malhotra, learned Advocate for the Applicant, states that apart from the Applicant accompanying Accused No. 1 and Respondent No. 2 to identify the plot, there are no allegations against the Applicant in Crime No. 893 of 2024. This statement is not contested by Mr. Akshay Dingale, learned Advocate for Respondent No. 2.

13. Considering the nature of the dispute, the Applicant being in jail since 26.05.2025, the statement made by Ms. Anamika Malhotra, learned Advocate for the Applicant, on instructions from the Applicant, regarding the aforesaid amount deposited by the Applicant before the Trial Court, the continuation of the Applicant in jail pending the trial of R.C.C. No. 3389 of 2025 before the Trial Court, is not necessary.

14. Ms. Anamika Malhotra, learned Advocate for the Applicant, reiterates her statements and the no-objection recorded in para 7 of this order.

15. In view of the above, this Bail Application is allowed on the following conditions :-

(a) Applicant is directed to be released on bail in connection with C.R. No. 893 of 2024 registered with Bharati Vidyapeeth Police Station, Pune City, upon furnishing a P.R. Bond in the sum of Rs. 50,000/- (Rupees Fifty Thousand only) with one or two sureties, in the like amount, to the satisfaction of the Trial Court.

(b) Applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case to dissuade that

person from disclosing the facts to the Court or any police officer and shall not tamper with evidence.

(c) Applicant shall, within three (3) days of his release from jail, provide to the Investigating Officer, Bharati Vidyapeeth Police Station, his residential address with proof, the contact numbers and must inform the Investigating Officer about the change in the same from time to time.

(d) Applicant shall report to the Investigating Officer, Bharati Vidyapeeth Police Station, Pune, on the 2nd Monday of each month from 11.00 am to 12.00 noon, until further orders from the Trial Court.

(e) Applicant shall regularly appear before the Trial Court in R.C.C. No. 3389 of 2025, as and when the matter is fixed, unless specifically exempted.

16. The observations made in the present order are meant for the purpose of deciding the Bail Application and would not have any impact or effect on the trial.

17. Criminal Bail Application No. 4268 of 2025 stands disposed of.

(ASHWIN D. BHOBE, J.)