

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1817 OF 2025

Atul Satish Jain

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Mr. Deshmukh Shashibhushan P.

APP for Respondent/State : Ms. P.J. Bharad

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CORAM : MEHROZ K. PATHAN, J.

DATED : NOVEMBER 26, 2025

PER COURT :

1. Heard.
2. The applicant has approached this Court seeking regular bail in Crime No.13/2025 registered with Jalgaon City Police Station, District Jalgaon for the offences punishable under Sections 420, 468, 504, 506 and 120-B of the Indian Penal Code.
3. The F.I.R. lodged by the complainant Shirin Amreliwala, who is a lawyer thereby stating that the complainant was acquainted with the applicant and his family members and the accused were running the business in the name of Yash Builders and Developers Pvt. Ltd, wherein accused Manish Jain and his mother Yashoda Jain were directors of the company. The allegations against the applicant were that he is a partner in one company namely Bhumi Ratnam Real Estate Pvt. Ltd and the applicant Atul along with the accused Manish

has induced the complainant to invest the amount in his company with an assurance that they will pay her an interest @ 1.5% per month. The informant in lieu of attractive inducement and the returns promised by the applicant deposited the amount of Rs.10,00,000/- in the name of Yash Lawn run by accused Manish, and Rs.60,00,000/- in the name of Bhumi Ratnam Company paid through cheque and on 14.08.2022 Rs.5,00,000/- cash to Manish at his residence. The said cheques were credited in accused Manish's bank account of HDFC Bank from the informant's account. Thus, after having received Rs.75,00,000/- in total, the accused have failed to return back the principal amount as well as promised interest amount. As such, the informant has registered an F.I.R. of cheating against the accused.

4. The learned counsel for the applicant Mr. Deshmukh submits that this is a pure civil transaction entered into between the applicant and the complainant. The same is given a criminal colour with the allegations made in the F.I.R. The applicant is in real estate and has good reputation in the society. However, he is unnecessary dragged in the present offence. He further submits that as on today, the complainant has returned the amount invested by her in the company with interest thereon and after receiving an amount of Rs.99,00,000/- as against the principal amount invested i.e. Rs.75,00,000/-, the complainant has given no objection at the time of

hearing of bail application of one of the co-accused Manish Jain before the learned Trial Court.

5. Mr. Deshmukh relying upon such undertaking of no objection after receiving Rs.99,00,000/- by the complainant submits that the learned Sessions Court has released another co-accused Manish vide order dated 05.11.2025 after the application filed by the present applicant Atul has been rejected by the learned Sessions Judge. The order dated 05.11.2025 tendered across the bar is taken on record and marked as 'X' for identification.

6. The perusal of the said order passed by the learned Sessions Judge in the case of Manish Jain would show that the complainant Shirin Amreliwala has given no objection as settlement has taken place as the complainant has received the amount of Rs.99,00,000/- by demand draft and acknowledged the receipt of the same and on that ground, Manish the co-accused arrested in the present crime was released. Thus, looking to the nature of allegations as against the present applicant and also the fact that there is already a settlement arrived at between the complainant, applicant and his company, and also considering the fact that the amount of Rs.99,00,000/- was paid through demand draft which is already deposited in the account of complainant, I am inclined to release the applicant on same terms and conditions, as is imposed in the order of co-accused Manish dated 05.11.2025. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant – Atul Satish Jain be released on regular bail on furnishing P.R. bond of Rs.1,00,000/- (Rupees One Lakh) with one or two solvent sureties in the like amount, in Crime No.13/2025 registered with Jalgaon City Police Station, District Jalgaon for the offences punishable under Sections 420, 468, 504, 506 and 120-B of the Indian Penal Code, on the following conditions :
 - (a) The Applicant shall appear before the Investigating Officer as and when called by the Investigating Officer till framing of the charge.
 - (b) The Applicant shall attend each and every date of the trial Court without fail unless exempted by the trial Court on emergent consideration.
 - (c) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (d) The Applicant shall submit his Aadhar and PAN Card to the Investigating Officer and detailed addresses and phone numbers of himself and two of the near relatives.
 - (e) A single default on the part of the Applicant would entitle the prosecution to seek cancellation of bail.

(5)

(iii) The application stands disposed of.

(MEHROZ K. PATHAN, J.)

Mujaheed//