



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
ANTICIPATORY BAIL APPLICATION NO. 2145 OF 2024

Swapnil Kautik Thakre & Anr.

Versus

The Superintendent Of Police & Anr.

Mr. Sanket Suryawanshi for the Applicants.

Mr. A. M. Phule, APP for the State.

CORAM : ADVAIT M. SETHNA, J.

DATE : 29 JULY 2025

P. C.:

1. At the very outset, Mr. Suryawanshi, learned Advocate for the Applicants and Mr. Phule, learned APP for State would draw my attention to an order dated 7 March 2025, by which, these Applicants, who are before the Court have been protected. The Court in paragraph 8 of the said order has put certain terms and conditions while granting the interim order in favour of the Applicants.

2. Mr. Phule, on instructions, would point out that as far as the terms and conditions imposed in the said order, the Applicants have complied with the same and there is no breach of the said order at the behest of the Applicants. They have co-operated with the investigation. This would indicate that they have joined the investigation.

3. Mr. Suryawanshi has placed on record an affidavit dated 8 July 2025, filed by the Applicant No.2 (accused No.3) to categorically state that

‘at no point she was a beneficiary of any amount allegedly received from either her ex-husband or Samruddha Bharat Trading Company. She has further stated that if any such amounts are found, she would relinquish her entitlement to withdrawal of the same’. Such affidavit has been furnished to the learned APP, who would submit that the fact remains that amounts have been received in the accounts of the Applicant No.2 (accused No.3). Mr. Phule would reiterate his stand that the Applicant before the Court are the people, who were the part of the said seminar, by which investors were incentivized to invest their monies into this company, which is *inter alia* promoted by the present Applicants. Pertinent it is to note that accused No.1, who, according to the prosecution, is the master mind/kingpin has been arrested on 9 August 2024 and is in judicial custody since then.

4. In order to facilitate investigation, the Applicant is hereby directed to submit to the investigating agency all details/documents/account statement in regard to the amounts which have been received in the said account by the Applicant No.2. This shall be done within a period of 10 working days from today. As far as *prima facie* case is concerned, there is nothing adverse against these Applicants after the order dated 7 March 2025 has been passed.

5. Mr. Phule would insist that custodial interrogation would be necessary in the given facts. However, in light of the observations above, no purpose would be served in taking these Applicants in physical custody.

Moreover, now the fact that the charge-sheet has been filed, which would indicate culmination of the ongoing investigation. This is a matter which is essentially based on documents/documentary evidence, for which physical custody may not be warranted, considering that the Applicants have already co-operated with the investigation and continue to undertake co-operation even as on date.

6. In view of the above, the interim order dated 7 March 2025 deserves to be confirmed by passing the following order:-

ORDER

- (i) In the event of arrest of the Applicants in connection with CR No.0401 of 2024 registered with Cantonment Police Station, Aurangabad for the offences punishable under Sections 420, 406 r/w 34 of the Indian Penal Code, 1860, the Applicants are directed to be released on bail on their furnishing PR bond in the sum of Rs.20,000 (Rupees Twenty Thousand Only) with one or more sureties in the like amount.
- (ii) The Applicants shall cooperate with the investigation and shall attend the concerned police station as and when required.
- (iii) The Applicant shall furnish details of residential address and other contact details such as mobile number etc. to the concerned police station. If there is any change in the contact

details, the same shall be immediately intimated to the concerned police station.

- (iv) The Applicant shall not leave the jurisdiction of the Court without prior permission/order of the Court, without prior permission.
- (v) The Applicant shall not influence the witness/es and/or tamper evidence in any manner whatsoever.

7. Needless to mention that the observations made above are *prima facie* for the purposes of adjudicating this Application.

8. The Anticipatory Bail Application is allowed in the above terms.

[ADVAIT M. SETHNA, J.]