IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.574/2025

ABHIJEET SATISH DHUMAL ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Mr. Satyavrat Joshi a/w. Mr. Samay Pawar for the applicant.
Mr. A. S. Shalgaonkar, APP for State.
IO PSI B. B. Chavan, Wai Police Station, Dist. Satara.

CORAM : RAJESH S. PATIL, J.

DATE : MARCH 3, 2025.

P.C. :

1. This application is filed under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in corresponding with Section 438 of the Code of Criminal Procedure in connection with the First Information Report (FIR) No.327/2024 registered with the Wai Police Station, Satara, for the offence punishable under Sections 406, 420 read with 34 of the Indian Penal Code.

2. It is the case of the prosecution that the informant, a resident of the Satara, lodged report against accused Abhijit Dhumal (the present accused), Umesh Katkar, Sharadkumar U and Sandip Todkar alleging that during the period 25/4/2022 to 25/5/2022, the accused persons have cheated the informant by stating that they are core team members of the “Trade For Future Company” which is dealing in investment in the share market. They informed that if the investment is made of Rs.16 lakhs and odd within next 50 weeks the amount will be exceeded to Rs.25,20,000/-. Accordingly, the informant invested a sum of Rs.16,52,000/-, after some time Rs.12,07,000/- was received back by the informant but Rs.4,44,800/- is still outstanding. Since Rs.25,20,000/- as promised was not received, the FIR has been lodged by the informant.

3. The learned counsel for the applicant submits that the applicant is not concerned with the company called “Trade For Future Company”. He neither is a director, partner nor in the management of the said company. Since he was known to the present informant, he informed the informant about the investment being made by the present applicant. The learned counsel for the applicant submits that the applicant himself has invested Rs.27,00,000/- approximately with the said company “Trade For Future Company”. The applicant has been duped by the said company. There is no role of the present applicant attributed in the present offence for which the informant had lodged the FIR. The applicant is ready and willing to co-operate with the police and on one occasion he had been to the concerned police station wherein his statement was recorded by the IO.

4. The learned APP submitted that out of the four accused, accused no.2 has been arrested and granted bail by the trial Court. The accused no.3 Sharadkumar U is absconding, accused no.4 Sandeep Todkar has been granted anticipatory bail by the Sessions Court on the medical ground. The learned APP submitted that the custody of the present applicant will be necessary in order to interrogate the present applicant for completion of the investigation.

5. I have heard learned counsel for the applicant and learned APP. I have also gone through the FIR and the documents on record.

6. The informant has not shown any document by which it can be said that the present applicant is holding same kind of managerial post with the company "Trade For Future Company". In fact, it is the case of the applicant that he has himself invested a sum of Rs.27,00,000/- with the said company and is a victim of fraud committed by the said company. The informant though had invested Rs.16,00,000/-, a sum of Rs.12,07,200/- and odd was received back by the informant. Therefore, the balance amount payable to the informant is Rs.4,44,800/-. The informant has not shown the role attributable to the present applicant in order to hold him as a guilty for the offence punishable under Sections 420, 406 of the Indian Penal Code. *Prima facie*, I am of the view that suffice would be the purpose if the applicant granted pre-arrest bail on the following conditions.

ORDER

(a) **The anticipatory bail application is allowed.**

(b) In the event of arrest in connection with the FIR No.327/2024 registered with the Wai Police Station, Satara, the applicant shall be released on bail, on furnishing P.R. bond to the extent of Rs.30,000/- with one or two sureties of the like amount.

(c) The applicant will remain present before the concerned police station on 6/3/2025 and 7/3/2025 between 11.00 a.m. to 2.00 p.m. and thereafter, as an when called for.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and shall not tamper with evidence.

(e) The applicant shall furnish details of his residential addresses, contact numbers and email addresses to the Investigating Officer, if there is any changed.

7. The anticipatory bail application is disposed of.

(RAJESH S. PATIL, J.)