

Harish

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION. NO. 1433 OF 2025**

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Mohan S/o Shivaji Taware	...Applicant
Versus	
State of Maharashtra	...Respondent

**WITH
INTERIM APPLICATION NO.2929 OF 2025
IN
ANTICIPATORY BAIL APPLICATION. NO. 1433 OF 2025**

Yuvraj Kondiba Sarwade	...Applicant
In the matter between	
Mohan S/o Shivaji Taware	...Original Applicant
Versus	
State of Maharashtra	...Respondent

Mr. Krishna P. Rodge for the Applicant.
Mr. Hrishikesh S. Shinde for the Intervenor.
Smt. Veera Shinde, APP for the State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 7th NOVEMBER, 2025

P.C.:

1. The applicant is apprehending arrest in crime no. 123 of 2025 registered with Jail Road Police Station, Solapur Dist-Solapur for the offences punishable under Sections 406 and 420

read with Section 34 of Indian Penal Code, 1860.

2. It is prosecution's case that during the period from 8th August, 2022 to 6th June 2024, the applicant and co-accused have lured the first informant on the ground of investing the amount in the wine shop of the applicant with assurance of handsome returns, but after investing the amount by the first informant, the applicant and co-accused not returned the amount invested by the first informant also not given any returns on it.

3. It is contention of learned counsel for the applicant that the nature of transaction between the applicant and first informant is of civil nature. Applicant had issued cheque in respect of due amount to the first informant. The first informant has remedy to file civil suit against the applicant. The applicant while on interim bail, has co-operated in the investigation. Hence, requested to allow the application.

4. It is contention of learned APP along with learned counsel for the intervenor that the applicant has lured the first informant to invest amount in his wine shop. Accordingly, amount was invested, but neither any returns given to the first

informant nor returned his invested amount by the applicant. Considering the allegations against the applicant, his custodial interrogation is required as act done by the applicant is of criminal nature. Learned APP further submit that the cheque given by the applicant is dishonored. Hence, requested to reject the application.

5. I have heard both the learned counsel, perused the FIR and documents produced on record.

6. The MOU executed between the applicant and the first informant produced on record shows that the nature of dispute between the applicant and the first informant is of civil nature. Applicant while on interim bail, has co-operated in the investigation. Considering the nature of dispute between the applicant and the first informant, I pass following order :

O R D E R

- I. Application is allowed.
- II. In the event of arrest, applicant be enlarged on bail in crime no. 123 of 2025 registered with Jail Road Police Station, Solapur Dist- Solapur on furnishing P. R. Bond in the sum of Rs. 20,000/- with one or two sureties in the like amount.
- III. The applicant shall attend the concerned police

station as and when required.

- IV. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

7. Anticipatory Bail Application is disposed of in above terms.

8. In view of disposal of Anticipatory Bail Application, Interim Application is also disposed off.

9. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

10. All concerned to act on authenticated copy of this order.

[SHIVKUMAR DIGE, J.]