

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2252 OF 2025
WITH
INTERIM APPLICATION NO. 3152 OF 2025

1. Sharvari Shivraj Tardale
2. Shivraj Shankar Tardale ...Applicants
Versus
State of Maharashtra ...Respondent

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Mr. Paras Yadav, for Applicants.

Ms. Veera Shinde, APP for the Respondent-State.

Adv. Nilabh Toshnival, Advocate for the Intervenor.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 12th NOVEMBER, 2025

P.C.

1. The Applicants are apprehending arrest in Crime No.234 of 2025 registered with Shahapur Police Station, Ichalkaranji, Dist. Kolhapur for the offences punishable under Sections 420, 409, 406 read with 34 of the Indian Penal Code.

2. It is prosecution's case that the applicants had purchased the goods from first informant's firm but did not return the amount of the said goods. It is around Rs.40,04,426/-.

3. It is contention of learned counsel for applicants that the police has freezed the bank account of the applicants having Rs.45,00,000/-. After de-freezing account, the applicants will deposit Rs.40,00,000/- amount before the trial Court. Hence, requested to allow the application.

4. It is contention of learned APP along with learned counsel for Intervenor that the applicants had purchased the goods from the firm of first informant but did not return the amount. If applicants undertake to deposit the amount of Rs.40,00,000/-, appropriate orders be passed.

5. I have heard all the learned counsels, perused the FIR and documents placed on record. The allegations against the applicants are of cheating of Rs.40,00,000/-. The applicants are ready to deposit the said amount after de-freezing his bank account. Considering these facts, his custodial interrogation is not required. Hence, I pass the following order:

ORDER

- (i) Application is allowed;
- (ii) In the event of arrest, the applicants be enlarged on bail in Crime No.234 of 2025 registered with Shahapur Police Station, Ichalkaranji, Dist. Kolhapur,

on executing P.R.Bond in the sum of Rs.20,000/- each with one or two sureties in the like amount;

- (iii) The applicants shall attend the concerned police station as and when required.
- (iv) The learned trial Court is requested to pass appropriate orders in pending application before the trial Court as early as possible on its own merits.
- (v) If bank account of the applicants is de-freezed, the applicants shall deposit the amount of Rs.40,00,000/- before the trial Court.

6. The application is allowed in the aforesaid terms and is accordingly disposed off.

7. It is made clear that the above observations are made only for the purpose of granting anticipatory 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.

8. In view of disposal of anticipatory bail application, Interim Application also disposed off accordingly.

9. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)