

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1271 OF 2024**

1. Nitin @ Nitina Shankar Dhimdhome	
2. Makarand Sudhir Pande	...Applicants
<i>Versus</i>	
The State of Maharashtra & Anr.	...Respondents

Mr. Avinash B. Avhad, for the Applicants.
Mr. S. A. Karmakar, APP, for the Respondent No.1- State.
Mr. Sachin Deokar, for the Respondent No.2.
I.O. B. S. Gurav, EOW, PCPC, present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 08th DECEMBER 2025

PC:-

1. Heard Mr. Avinash Avhad, learned Counsel appearing for the Applicants, Mr. Sachin Deokar, learned Counsel appearing for the Respondent No.2 and Mr. Karmakar, learned APP appearing for the Respondent No.1- State.

2. By this application filed under Section 438 of the Code of Criminal Procedure, 1973 (“**CrPC**”) the Applicant is seeking pre-arrest bail in connection with C.R. No.172 of 2024 registered on 09th April 2024 with Dighi Police Station, Pimpri Chinchwad for the

offences punishable under Sections 406, 420, 465, 467, 468, 471 read with Section 120-B of the Indian Penal Code, 1860 (“**IPC**”).

3. As per the prosecution case, the First Informant i.e. Respondent No.2 has invested an amount of Rs.3,25,06,058/- in a construction project of the Applicants from the year 2013 to 2023. However, the Applicants failed to hand over the flats as per the agreements and as per the said investment and therefore the subject FIR is lodged.

4. A learned Single Judge by order dated 08th May 2024 has granted interim protection. It appears that the parties had tried to settled the dispute, however, the dispute could not be settled.

5. It is the main submissions of the Mr. Deokar, learned Counsel appearing for the Respondent No.2 and Mr. Karmakar, learned APP that the offence is very serious. Both of them submitted that there is another criminal case filed by other investors in said construction project of the Applicants. Mr. Deokar, learned Counsel further submitted that there are about 59 cases pending in various Courts mainly concerning Section 138 of the Negotiable

Instruments Act against the Applicants. Mr. Karmakar, learned APP on instructions states that the investigation is completed and chargesheet can be filed within a period of 15 days.

6. As the investigation is completed and chargesheet will be filed within a period of 15 days and a learned Single Judge has already granted interim protection by order dated 08th May 2024 and as the said interim protection continues till date, the case is made out for grant of Anticipatory Bail.

7. In view thereof, the following order is passed:

ORDER

- (a) In the event of arrest of the Applicant No.1- Nitin @ Nitina Shankar Dhimdhime and Applicant No.2- Makarand Sudhir Pande in connection with C.R.172 of 2024 registered with Dighi Police Station, Pimpri Chinchwad the Applicants are directed to be released on bail on their furnishing P.R. Bond in the sum of Rs.1,00,000/- each with one or two solvent sureties in the like amount.
- (b) The Applicants shall attend the concerned Police

Station as and when called.

- (c) The Applicants shall furnish their cell phone numbers and residential addresses to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (d) The Applicants shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.
- (e) The Applicants shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (f) The Applicants shall not leave India without prior permission of the Court.

8. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]