

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2905 OF 2024**

Praveen Manilal Jain

...Applicant

Versus

State of Maharashtra

...Respondent

Ms. Prajakta Pawar-Bhosale a/w Harshwardhan Pawar i/by Milind Pawar
for the Applicant.

Mr. Kiran Shinde, APP for the State.

Mr. Sachin Thorat, API, Kondva Police Station, Pune City is present.

CORAM : ADVAIT M. SETHNA, J.

DATE : 6 OCTOBER 2025

PC.:-

1. Heard learned counsel for the parties.
2. This Application is filed by the Applicant as he apprehends arrest. These proceedings relate to CR No.0073 of 2024. The FIR has been lodged on 21 January 2024 at 00:18 hours with Kondhava Police Station, Pune City for alleged offences punishable under Sections 104 and 103 of the Trade Marks Act, 1999 ("**Trade Marks Act**"), Sections 487 and 420 of the Indian Penal Code, 1860 ("**IPC**") and Sections 63 and 65 of the Copyright Act, 1957 ("**Copyright Act**").
3. Briefly, the case of the prosecution as stated in the FIR is that the complainant was working as a manager of CI Constants India Pvt. Ltd who made a written complaint against the present Applicant on the

apprehension that he was manufacturing duplicate oil. On the basis of complaint dated 19 January 2024, by the Informant, the Police raided the Applicant's shop called "Bibdi Lubricants Oil Manufacturer and Two-wheeler spare parts wholesaler" in Pisoli Area, Pune. The offending cans of oil were seized, after which the FIR dated 21/01/2024 came to be registered.

4. The attention of the Court at the very outset is drawn to a detailed order dated 25 October 2024, where the Court after recording due reasons has been pleased to grant interim protection in favour of the Applicant vide said order. Such interim protection continued from time to time and the same is in force as on date. Mr. Shinde, learned APP would not controvert such factual position.

5. Mr. Shinde, learned APP on instructions would submit that the pursuant to the order dated 25 October 2024, the Applicant has duly cooperated with the investigation. He has by complying with the terms and conditions set out in the interim order, attended the police station on the dates as set out in the said order. This would mean that the Applicant has joined the investigation. There is nothing adverse placed on record by the prosecution against the Applicant. His presence can be duly secured at the time of the trial.

6. Mr. Shinde has also on instructions submitted that the charge-sheet is filed by the Investigating Officer on 11 March 2025.

7. Considering the fact that the charge-sheet is filed which would entail that the investigation is complete, at this stage, coupled with the fact that there is no aggravating factor which would now justify his detention, in the given factual complexion, a *prima facie* case is made out for the grant of anticipatory bail. Further, in my view, in the given facts custodial interrogation of the Applicant would not be warranted at this stage.

8. In light of the above, in my *prima facie* view, the following order would meet the ends of justice:-

ORDER

- (i) The interim order dated 25 October 2024 is confirmed.
- (ii) In the event of arrest of the Applicant in connection with CR No. 0073 of 2024 registered with Kondhava Police Station, Pune City for the offences punishable under Sections 104 and 103 of the Trade Marks Act, Sections 487 and 420 of the IPC and Sections 63 and 65 of the Copyright Act, the Applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.30,000 (Rupees Thirty Thousand Only) with one or more sureties in the like amount.
- (iii) The Applicant shall cooperate with the investigation and shall attend the concerned police station as and when required.

- (iv) 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.
- (v) The Applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the police officer.
- (vi) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the complainant or any witness in any manner whatsoever.

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

10. The Anticipatory Bail Application is **Allowed/Disposed Of** in the above terms.

[ADVAIT M. SETHNA, J.]