

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

Criminal Application No. 128 of 2025

Jitendrasingh Rodsingh Rao
Age 28 years, Occ. Business,
Residing at: C/o. S. N. K. Plaza,
Nashta Galli, 6th Floor, Office
No.46, Zaveri Bazar,
Mumbai – 400 002.

... Applicant

versus

1. Hiteshsingh Sohansingh Rao
Age 27 years, Occ. Business,
Residing at : Village Asoliya ki
Madadi, Tehsil : Mavli,
Dist. Udaipur, Rajasthan – 313 201.

2. State of Maharashtra
(At the instance of L T Marg
Police Station in C.R. No. 666/2024,
to be served through office of Learned
Public Prosecutor, Sessions Court, Mumbai.) ... Respondents

Mr Mosin I Naik, for the Applicant.
Ms Fehmida Ahmed i/b M B Shirsat, for Respondent No.1.
Mr Arfan Sait, APP, for Respondent No.2 / State.
API Prashant Kamble, L T Marg Police Station, Mumbai, is
present.

Coram: R.N. Laddha, J.

Date: 22 July 2025

P.C.:

. Heard Mr Mosin Naik, the learned Counsel appearing on behalf of the applicant; Ms Fehmida Ahmed i/b M B Shirsat, the learned Counsel for respondent No.1 / first informant and Mr Arfan Sait, the learned Additional Public Prosecutor representing respondent No.2 / State.

2. The applicant has preferred this application seeking cancellation of anticipatory bail granted to accused / respondent No.1, by the learned Additional Sessions Judge, Mumbai, by an order dated 3 October 2024, in connection with C.R. No.666 of 2024, registered at L. T. Marg Police Station, Mumbai, for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

3. The applicant's contention is that the learned trial Judge did not adequately consider or address the substantive merits of the prosecution's case while adjudicating the pre-arrest bail application. He further submits that, subsequent to the grant of pre-arrest bail to respondent No.1 on 3 October 2024, respondent No.1 has misused the liberty granted by the Court by engaging in acts of intimidation and issuing threats to the applicant on a phone call, wherein the applicant lodged a

formal complaint with the Assistant Commissioner of Police, Nalasopara on 20 January 2025, seeking appropriate action against respondent No.1.

4. Upon perusing the records, it appears that the applicant was granted pre-arrest bail on 3 October 2024. The learned APP, upon instructions received from the Investigating Officer who is present before this Court, submits that the investigation has been completed and that the prosecution is in the process of filing the charge sheet.

5. With respect to the complaint lodged by the applicant with the Assistant Commissioner of Police, Nalasopara on 20 January 2025, it is seen that the complaint lacks essential particulars. The applicant has neither specified the nature of the alleged threats or provided any information regarding the date and time of the purported communication. The overall tenor of the said complaint suggests that the applicant is primarily dissatisfied with the order passed by the trial Court and appears to be raising a grievance in that regard, rather than substantiating any fresh allegation warranting revocation of pre-arrest bail. There is no specific material available on record indicating that the accused has attempted to interfere with the prosecution evidence or sought to influence any witnesses.

That apart, at this stage, the investigation has concluded, the prosecution is in the process of filing the charge sheet, and absence of new compelling grounds post the grant of pre-arrest bail, this Court finds no justification to revoke the bail previously granted. Accordingly, the application stands rejected.

(R.N.Laddha, J.)