

VRJ

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

BAIL APPLICATION NO.1239 OF 2025

VAIBHAV
RAMESH
JADHAV

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Mangesh Ganpat Jadhav

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. Aniket U. Nikam for the applicant.

Ms. Shilpa G. Talhar, APP for the State.

Mr. Meghdeep Oak for original complainant.

CORAM : AMIT BORKAR, J.

DATED : JULY 7, 2025

PC.:

1. This is a bail application filed by the applicant under Section 439 of the Code of Criminal Procedure, 1973, seeking his release in connection with Crime No. I-154 of 2023 registered at Vikramgad Police Station, Palghar, for offences punishable under Sections 420, 465, 467, 468 and 471 read with Section 34 of the Indian Penal Code, 1860.

2. The brief allegations of the prosecution are that the applicant/accused had shown to the informant certain parcels of agricultural land bearing Gut Nos. 84/9/1, 84/8/1, and 137/2/1 admeasuring about 41 acres, located at Mauje Kasa Budruk, Talathisaja Talwada, Tal. Vikramgad, Dist. Palghar. The said land

was purportedly sold to the informant for a consideration of Rs.50,00,000/-, out of which Rs.15,00,000/- was paid as brokerage to middlemen. It is alleged that after the sale was completed, the informant found that such lands did not exist with the stated Gut numbers, and the revenue documents such as 7/12 extracts and other papers were allegedly forged. These documents were later cancelled by the revenue authorities. The informant therefore alleges that the applicant and others cheated her by misrepresenting facts and by executing sale transactions of non-existent or bogus land, thereby causing her a total loss of Rs.65 lakhs, including stamp duty of Rs.4,81,000/-.

3. Based on her complaint, a First Information Report (FIR) came to be registered, and the applicant was arrested on 24 November 2023. Since then, he is in judicial custody. The present application has been filed by the applicant for his release on bail.

4. The learned advocate for the applicant submitted that the applicant has been in custody for more than 7 months, and now desires to show his bonafide by depositing a substantial sum to demonstrate his intention to compensate the complainant. It is submitted that the applicant has filed an undertaking dated 21 June 2025, wherein he has voluntarily stated that he will deposit Rs.5,00,000/- before his release and further pay Rs.20,00,000/- as per the terms mentioned in the said undertaking. This act reflects the applicant's willingness to take corrective steps, without prejudice to his defence in the trial.

5. The said undertaking has been tendered in Court by the wife

of the applicant, who is personally present, and the document is handed over to the learned advocate representing the applicant. The sincerity of the applicant is, therefore, supported by the actions of his family members.

6. The amount of Rs.20,00,000/-, as mentioned in Columns 2 to 5 of Clause 1 of the undertaking, shall be deposited before the learned Trial Court, and the complainant shall be permitted to withdraw the said amount, on such deposit.

7. However, in the interest of fairness and to protect the rights of the applicant, it is directed that the complainant shall file an undertaking before this Court stating that she shall return the amount within a period of eight weeks from the date of judgment of the Trial Court, in case the Court finds that the said amount was not lawfully due to her or that the applicant was falsely implicated.

8. It is important to note that investigation is already complete, and the trial is yet to begin. The applicant has no criminal antecedents on record. In view of the voluntary deposit of compensation, his continued detention may not serve any further purpose, particularly when the trial is likely to take a considerable time. Moreover, the undertaking tendered by the applicant's wife, coupled with the fact that the applicant has been in custody since 24 November 2023, weighs in favour of granting bail.

9. In the above background, this Court finds that the applicant has made out a prima facie case for grant of bail, subject to appropriate conditions to ensure his presence at trial and to prevent any tampering with the evidence or influencing of

witnesses.

10. Hence, the following order is passed:

a) The applicant Mangesh Ganpat Jadhav shall be released on bail in connection with Crime No. I-154 of 2023 registered with Vikramgad Police Station, Palghar, for the offences punishable under Sections 420, 465, 467, 468, and 471 read with Section 34 of the Indian Penal Code, on furnishing a personal bond of Rs.25,000/- (Rupees Twenty-Five Thousand only) with one or more solvent sureties in the like amount, to the satisfaction of the Trial Court.

b) The bail is granted subject to the following conditions:

(i) The applicant shall not tamper with the evidence or attempt to influence any witness in any manner.

(ii) The applicant shall regularly appear before the Trial Court on each and every date of hearing unless prevented by genuine or sufficient cause.

(iii) The applicant shall not leave the jurisdiction of the Trial Court without obtaining prior permission.

(iv) The applicant shall not commit any offence or indulge in any criminal activity during the pendency of the trial.

11. The Trial Court shall ensure compliance with the deposit of amount as per the undertaking and permit the complainant to withdraw the same, after recording the undertaking on her part as directed above.

12. The bail application is accordingly disposed of in the aforesaid terms.

(AMIT BORKAR, J.)