

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

**CRIMINAL BAIL APPLICATION NO. 1840 OF 2025**

Rajas Dattatray Chavan. ... Applicant.  
Vs.  
The State of Maharashtra. ... Respondent.

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Dr. Uday Warunjikar a/w. Mr. Sumit Kate & Mr. Aditya Kharkar i/b.  
Jenish Dinesh Jain, Advocate for the Applicant.

Mr. Sameer Mangaonkar, APP for respondent/State.

PSI Govind Chavan, IO, Badlapur (East) Police Station.

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**CORAM : ASHWIN D.BHOBE, J.  
DATE : 27TH MAY, 2025.  
(VACATION COURT)**

**P.C. :**

1. Heard Dr. Uday Warunjikar, learned Advocate for the Applicant and Mr. Sameer Mangaonkar, learned APP for the State.
2. The Applicant accused has filed present application for regular bail under section 483 of Bharatiya Nagrik Suraksha Sanhita, 2023 (for short 'BNSS') in connection with the FIR No. 145 of 2025 registered with the Badlapur East Police Station, District Thane for the offence punishable under Section 3(5) and 318(4) of the Bhartiya Nyaya Sanhita, 2023 (for short 'BNS').
3. In all there are 3 accused named in the FIR No. 145 of 2025. The

learned APP states that other 2 accused named in the FIR are absconding as on date.

4. Case against the Applicant/Accused No. 2 is that he facilitated and introduced Mr. Chandrashekar Hosur /Accused No. 1 to invest in the project development of the complainant. As per the case of the prosecution, Mr. Chandrashekar Hosur made representation to the complainant of he being in the business of financing and in a position to arrange financial assistance as required by the complainant, induced the complainant to transfer an amount of Rs. 10 Lakhs to him. Complainant transferred the said amount to account of Mr. Chandrashekar Hosur by RTGS mode.

5. On 5<sup>th</sup> May, 2025, this Court made the following order:

*“1. Heard Mr. Warunjikar, learned Advocate for Applicant and Mr. Haldankar, learned APP for Respondent.*

*2. This is an Application under Section 439 of Code of Criminal Procedure, 1973 (for short ‘Cr.P.C.’) seeking Bail in connection with C.R. No. 145 registered with Badlapur East Police Station for offences punishable under Sections 318(4) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.*

*3. The Applicant has no antecedents and is a resident of Pune. He is arrested on 27<sup>th</sup> February, 2025 and is in incarceration since then. There are total three accused persons. The case against the present Applicant arrayed as accused No.2 is that he facilitated and introduced accused No.1 to invest in the project/developments of the first informant-complainant. Accused No.2 is accomplice who accompanied accused No.1 during the said transactions and meetings with the first informant-complainant.*

*4. Learned Advocate Mr. Warunjikar would persuade the Court to consider the fact that apart from merely introducing accused No.1 to the first informant, there is no significant role whatsoever*

*played by the Applicant in the alleged crime. He would submit that the the total amount involved in the present crime is Rs. 2 Lacs for which the first informant-complainant has been duped. According to prosecution case, he would submit that the Applicant is not a beneficiary and has not benefitted either directly or indirectly from the aforesaid transactions between the co-accused persons and the first informant complainant.*

*4.1. He would also inform the Court that post arrest of Applicant, the matter has been listed before the trial court on 63 dates and has been adjourned from time to time. The submission made by Dr. Warunjikar appears to be prima facie true and strongly in favour of Applicant to seek bail.*

*5. Learned Prosecutor appearing in the matter shall take appropriate instructions on the precise role of Applicant and inform the Court as to whether he is a direct or indirect beneficiary of any amount so as to enable the Court to consider the bail application of the Applicant.*

*6. In view of paucity of time, application cannot be heard immediately next week.*

*7. Liberty to the Applicant to move the vacation court if so desired.*

*8. List the matter on 11<sup>th</sup> July 2025.”*

6. Applicant/Accused No. 2 was arrested on 27<sup>th</sup> February, 2025 and was in police custody till 7<sup>th</sup> March, 2025. Since 8<sup>th</sup> March, 2025, the Applicant is in judicial custody. Investigation in the matter is said to have been completed.

7. Dr. Warunjikar, learned Advocate appearing for the Applicant submits that the investigation is completed, charge-sheet is filed and as such presence of the Applicant in custody is not needed. He submits that the opposition of the Applicant's request of bail is on the ground that the applicant if released shall tamper with evidence. He submits that the

Applicant has cooperated in the matter and in the event of release on bail, the Applicant shall appear before the Court as and when required. Dr. Warunjikar prays that the Applicant be released on bail subject to the conditions as deemed fit and proper by this Court.

8. The learned APP Mr. Mangaonkar, appearing for the Respondent State, fairly submits that the investigation is complete and Charge-sheet has been filed on 24<sup>th</sup> April, 2025. He states that though in the FIR as filed, there were no allegations of any amount being transferred to the Applicant, however, during the course of investigation witnesses have stated that an amount of Rs. 1 Lakh was transferred in the account of the Applicant. He states that during the course of investigation, vehicle involved in the crime and papers alleged to be currency notes have been recovered at the instance of the Applicant. On instructions from the Investigating Officer who is present in the Court, he states that the said amount of Rs. 1 Lakh was returned by the Applicant to the Complainant.

10. Considering the role of the Applicant being of facilitator to coordinate between the Mr. Chandrashekar Hosur and the Complainant, further there being no allegation by the Complainant that any amount was transferred to the Applicant, the investigation being completed and charge-sheet being filed, no further purpose would be served by detaining the Applicant, who is in custody since 27<sup>th</sup> February, 2025.

11. Dr. Warunjikar states that the Applicant does not have any criminal antecedents. The learned APP confirms the same.

12. Striking a balance between the rights of Applicant-Accused to be on bail and of securing the apprehension as expressed by the Respondent, I find that the Applicant can be enlarged on bail, however, subject to following conditions.

### **ORDER**

(a) Applicant is directed to be released on bail in FIR No. 145 of 2025 lodged with Badlapur East Police Station, District-Thane, on furnishing P.R. bond in the sum of Rs. 50,000/- with one or two sureties in the like amount to the satisfaction of the Judicial Magistrate First Class, Ulhas Nagar, District Thane.

(b) Before release of the applicant, the Applicant shall furnish his residential address and his mobile number to the Investigating Officer, Badlapur East Police Station, Badlapur, District Thane.

(c) Applicant shall report to the Investigating Officer, Badlapur East Police Station, Badlapur, District Thane, once in a month i.e. on 5<sup>th</sup> day of each month from 11 a.m. to 1 p.m. and/or on any other day, if required by the Investigating Officer. Reporting of the Applicant shall commence from 5<sup>th</sup> June, 2025.

(d) The Applicant shall not influence or threaten any of the witness/s

or tamper with the evidence in any manner.

(f) Applicant shall cooperate with the conduct of trial and shall attend trial court on all the dates fixed unless specifically exempted.

13. The Application is allowed and disposed of in the above terms.

**[ ASHWIN D.BHOBE, J.]**