

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

CRIMINAL BAIL APPLICATION NO. 1885 OF 2025

Krish Jain alias Sanjay Surajmal Jain ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Ali Kaashif Khan Deshmukh a/w Ms. Snigdha Khandelwal, learned Advocates for the Applicant.

Mr. Tanveer G. Khan, learned A.P.P. for the State/Respondent.

PSI Ms. Shital Anuse attached to Alankar Police Station, Pune City is present in the Court.

CORAM : ASHWIN D. BHOBE, J.

DATE : 16th JULY 2025.

P.C. :

1. Heard Mr. Ali Kaashif Khan Deshmukh, learned Advocate for the Applicant and Mr. Tanveer Khan, learned A.P.P. for the State/Respondent.

2. By the present Application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (“**BNSS**” for short), the Applicant is before this Court seeking regular bail in connection with Crime No. 32 of 2024 registered with Alankar Police Station, Pune City for the offences punishable under Sections 406, 420 and 120(B) read with 34 of the Indian Penal Code, 1860 (“**IPC**” for short) and Sections 3 and 4 of the Maharashtra Protection of Interest of Depositors Act, 1999 (“**MPID Act**” for short).

3. Mr. Ali Deshmukh, learned Advocate for the Applicant submits that the abovesaid crime is registered as Special Case No. 711 of 2024 and is pending on the file of learned Additional Sessions Judge, Pune.

4. There are 11 accused persons in the present crime.

5. First Information Report was lodged on the basis of a complaint filed by Prasanna Koti (Informant) alleging that Dharmesh and Saurabh allured him to make investment with one Dipak Shinde on the assurance of high returns. Informant was induced to invest an amount of Rs. 1,00,00,000/-, however the accused persons in the said crime misappropriated the said amount.

6. Applicant was arrested on 22nd October 2024 and since then he is in jail. Criminal Bail Application No. 6496 of 2024 filed by the Applicant was rejected by the learned Additional Sessions Judge, Pune by order dated 25th November 2024.

7. Mr. Ali Deshmukh, learned Advocate submits that the Applicant is neither named in the FIR, nor in the charge-sheet, filed by the prosecution. He clarifies that there are no allegations against the Applicant in the FIR, as also in the charge-sheet. He submits that though the Applicant is not referred in the charge-sheet, however he points out that the case status of Special Case No. 711 of 2024 refers to the Applicant as Accused No. 12. He states that the Remand Order make reference to the Applicant as Accused No. 6. He submits that the Applicant has no role in the subject crime.

8. I have perused the records with the assistance of learned Advocates of the parties.

9. Mr. Tanveer Khan, learned A.P.P. for the State/Respondent was unable to point out the involvement of Applicant in the present crime. On a specific query to Mr. Tanveer Khan, learned A.P.P. as to 'whether the material placed on record in the present Bail Application can show any distinct or independent role assigned to the Applicant?', Mr. Tanveer Khan, learned A.P.P., after perusal of the charge-sheet submits that there is no such role assigned to the Applicant.

10. Considering the statement made by Mr. Ali Deshmukh, learned Advocate for the Applicant and the submission made by Mr. Tanveer Khan, learned A.P.P. for the State/Respondent, further incarceration of the Applicant in the present crime is not warranted.

11. In view of the above, the present Bail Application is allowed on the following conditions :-

- a. Applicant is directed to be released on bail in connection with Crime No. 32 of 2024 registered with Alankar Police Station, Pune City for the offences punishable under Sections 406, 420 and 120(B) read with 34 of the IPC and Sections 3 and 4 of the MPID Act on executing P.R. Bond in the sum of Rs. 25,000/- (Rupees Twenty-five Thousand Only) with one or two sureties in the like amount to the satisfaction of the Additional Sessions Judge, Pune.

- b. Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of accusation, so as to dissuade him from disclosing such facts to the Court or to any police officer.
- c. Applicant shall not tamper with the prosecution witnesses and evidence in any manner.
- d. Applicant shall co-operate in the conduct of the trial and shall regularly attend the hearing of Special Case No. 711 of 2024, pending on the file of Additional Sessions Judge, Pune, on each and every date, unless exempted from appearance.
- e. Applicant upon his release, within a period of three days from his release, shall furnish his cell phone number and residential address with proof to the Investigating Officer, Alankar Police Station, Pune City and shall keep the same updated, in case of any change thereto.

12. Criminal Bail Application No. 1885 of 2025 stands disposed of in the abovesaid terms.

[ASHWIN D. BHOBE, J.]

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