

DGP

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.521 OF 2025

Naresh Rama Ahire

...Applicant

*Versus*

The State of Maharashtra

...Respondent

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Mr.Nitin Sejpal a/w. Mr. Siddharth Gharat, Advocate for the Applicant.

Mr. Samir Vaidya i/b. Aditya Parmar a/w. Wahab Shaikh Ms. Z. Khan,  
Advocate for the Respondent No.2.

Ms. R.V. Newton, APP for the Respondent-State.

PSI, Madhukar Shirke, attached to Kharghar Police Station, Navi  
Mumbai, present.

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CORAM: MADHAV J. JAMDAR, J.

DATED: 12 NOVEMBER 2025

P.C.:

1. Heard Mr.Sejpal, learned Counsel appearing for the Applicant,  
Mr. Samir Vaidya, learned Counsel appearing for the Respondent No.2  
and Ms. Newton, learned APP appearing for the Respondent-State.

2. By the present Application filed under Section 482 of the Bhartiya  
Nagrik Surksha Sanhita , 2023, the Applicant is seeking pre-arrest bail  
in connection with C.R. No.4 of 2025 registered with Kharghar Police  
Station, New Mumbai, under Section 318 (4), 316 (2) and 3(5) of the  
Bhartiya Nyaya Sanhita, 2023.

3. The prosecution case is set out in Paragraph Nos.5 and 6 of the order dated 12<sup>th</sup> February, 2025 passed by learned Additional Sessions Judge, Panvel in Criminal Bail Application No.26 of 2025, which reads as under:

*“5.The informant is a Chartered Accountant by profession. His family has one business company by name Avani Enterprises to look after the work of mortgage and loan to the projects. The informant got acquaintance with the applicant in the year 2018, at that time this applicant introduced himself as project financier. The informant was in need of Rs.3,00,00,000/- funds for development of plotting of his partnership firm Shri.Balaji Realators of the land at Dapoli, District Ratnagiri. The applicant agreed to provide private funding to informant in lieu of interest, fees of advocate and stamp duty also handling charges. Thus applicant gained trust of the informant for private funding as such initially the informant parted amount of Rs.16,00,000/-. Then informant time and again parted an amount since the year 2019 as on date to the tune of Rs.50,50,000/- either in cash and partly by online. The applicant repaid amount of Rs.6,00,000/- as such presently outstanding due towards applicant is to the tune of Rs.44,50,000/-. The said amount is not repaid to informant. The applicant issued life threats to him. The accused No.2 is the driver of the applicant. This accused No.2 insisted informant to pay the amount to the applicant. Thus applicant and his driver - accused No.2 have cheated him and also committed an offence of criminal breach of trust.*

*6. On that count, the informant lodged the report at police station Kharghar on 02.01.2025. The police station officer Kharghar registered crime No.04/2025 for the offence punishable under Section 316(2), 318(4), 3(5) of the Bharatiya Nyaya Sanhnita, 2023 against present applicant/accused and other accused.”*

4. Mr. Sejpal, learned Counsel and Mr. Vaidya, learned Counsel, submit that entire payment is paid by the Applicant except an amount of Rs.4,00,000/- (Rupees Four Lakhs Only). Mr. Sejpal, learned Counsel, submits that as far as balance amount of Rs.4 Lakhs is concerned, the Demand Draft dated 10<sup>th</sup> November, 2025 is ready and the same can be deposited in this Court.

5. Both the learned Counsels states that the parties have already filed Writ Petition (st.) No.20519 of 2025 seeking quashing of the FIR by consent.

6. A learned Single Judge has already granted interim protection by order dated 3<sup>rd</sup> March, 2025.

7. Accordingly, the Anticipatory Bail Application is disposed of by passing following order:

**ORDER**

- a) In the event of arrest of the Applicant -Naresh Rama Ahire, in connection with CR No.4 of 2025 registered with the Kharghar Police Station, New Mumbai, he be released on bail on his furnishing PR Bond in the sum of Rs.5,000/- with one or two solvent sureties in the like amount.

- b)** The Applicants shall attend the concerned Police Station as and when called by the Investigating Officer and shall cooperate with the investigation.
  - c)** The Applicant is permitted to deposit Demand Draft of Rs.4,00,000/- (Rupees Four Lakhs Only) in the Registry.
- 8.** The Anticipatory Bail Application is disposed of accordingly.

**[MADHAV J. JAMDAR, J.]**