



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

ANTICIPATORY BAIL APPLICATION NO.550/2025

VIKRAM NARSINHLAL GHANSHANI ..APPLICANT

VS.

STATE OF MAHARASHTRA & ORS. ..RESPONDENTS

Adv. Nikhil Mengde a/w. Adv. Kunal Savaskar for applicant.

Mr. Nitin B. Patil, APP for State.

Adv. Maitreya Shukla for intervener.

API Ganesh R., Chembur police station.

CORAM : RAJESH S. PATIL, J.

DATE : MARCH 27, 2025.

P.C. :

1. In spite of society – respondent no.2 being served nobody has represented the society today. So also, nobody has appeared for DCB Bank – respondent no.3.

2. The learned APP is not able to give any answer to the query raised by this Court as regards the investigation being done by the IO. Hence, I have no option but to adjourn the matter. The IO is not able to give answer to simple questions whether he had taken efforts to record the statements of the building secretary in which subject flat was situated, watchman of the said building, the bank which

according to them has initiated the SARFAESI proceedings who is respondent no.3 in the present proceeding.

3. The learned counsel for the applicant submits that the informant has done his transaction through a free brokerage cite named "No Broaker". The learned counsel for the applicant submits that there is business partner of Sachin Aswani (Soni) the present applicant came in contact of the informant. Along with Sachin Aswani he took efforts to show 2-3 flats in the locality as per requirement of the informant. He submits that a sum of Rs.2,50,000/- was paid to him by the informant as a brokerage for the sale of the subject flat. 50% of the said amount was paid to the business partner Sachin Aswani. He submits that he is ready to cooperate with the investigating agency. The custody of him would not be necessary as there are no criminal antecedents reported against the applicant.

4. Taking into consideration the submissions made on behalf of the informant suffice would be the purpose if the applicant is directed to deposit in this Court a sum of Rs.1,25,000/- within a period of two weeks from today.

5. If the said sum of Rs.1,25,000/- deposited in this Court, no

coercive steps be taken against the applicant till next date of the hearing.

6. The IO should take steps and contact the newly added respondent nos.2 and 3.

7. The secretary of respondent no.2 is directed to remain in this Court on the next date of the hearing. So also, the Manager of respondent no.3 – Bank should remain present on the next date of the hearing.

8. The order copy should be communicated to the respondent no.2 and 3 by the IO.

9. Stand over to 29/4/2025 under the caption “for urgent circulation”.

(RAJESH S. PATIL, J.)