

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.636 OF 2025

Ashish Namdeo Zade ...Applicant
Versus
State of Maharashtra ...Respondent

WITH
INTERIM APPLICATION NO. 2365 OF 2025
IN
ANTICIPATORY BAIL APPLICATION NO.636 OF 2025

Nilesh Raghunath Gawade ...Applicant
Versus
State of Maharashtra ...Respondent

Mr. Rushikesh Barge, Advocate (through VC) a/w Mr. Adhik Kadam, for Applicant.
Mr. S.A. Karmakar, APP for the State.
Mr. Amit Mane, Advocate (through VC) for Complainant.

CORAM: MADHAV J. JAMDAR, J.
DATED : 14th October 2025

P.C.:

1. Heard Mr. Barge, learned Counsel appearing for the Applicant, Mr. Karmakar, learned APP for the State and Mr. Mane, learned Counsel for the Complainant.

2. By this application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS"), the Applicant is seeking

pre-arrest bail in connection with C.R. No.209 of 2024, registered with Alankar Police Station, Pune City, Pune for the offences punishable under Sections 306 of the Bharatiya Nyay Sanhita, 2023 (“BNS”) and under Sections 43(b), 65, 66 and 72A of Information Technology Act, 2000.

3. The learned Additional Sessions Judge-11, Pune by the Order dated 24th January 2025 passed in Criminal Bail Application No.104 of 2025 has rejected the Bail Application filed by the present Applicant. In the said Order, in paragraph No.4, the prosecution case is set out, which reads as under :

“That the alleged incident was occurred during the period from 30.1.2024 to 19.12.2024. Informant runs a partnership firm namely ‘Aaryavarta Technologies’ and applicant was serving as 'Backend Developer' in the said firm during the period from 1.3.2018 to 18.10.2024. Informant's firm has given the e-mail ID as ‘ashish.z@aaryavarta.com’ to the applicant for their work purpose. Applicant has used the said e-mail ID and uploaded the ‘Frontend’ code of 'Carrom 365, Teen Patti' application, on google drive, on 30.1.2024. Applicant has stolen the Frontend code and used the said code for another companies namely Aapsin IT Hub, Pashan

and Eagle IT Hub, Pashan, and prepared the new game application as 'Snake & Ladders Ludo Housie”.

4. Mr. Barge, learned Counsel for the Applicant submitted that the Applicant has no criminal antecedents and even the custodial interrogation is not necessary. He further submits that the Applicant has filed Writ Petition seeking quashing of F.I.R. and there is settlement between the Applicant and the Respondent No.2.

5. On the other hand, learned APP opposed granting of anticipatory bail to the Applicant.

6. Mr. Mane, learned Counsel for the Respondent No.2- i.e. Complainant states that the Respondent No.2 will be giving consent for quashing and setting aside of F.I.R. as the Applicant has agreed to compensate the Respondent No.2 by payment of Rs.7,00,000/-.

7. Mr. Barge, learned Counsel states that said amount of Rs.7,00,000/- will be deposited with the Registrar, High Court, Appellate Side, Mumbai and said amount can be allowed to be

withdrawn by the Respondent No.2 after the F.I.R. has been quashed.

8. In any case, in the facts and circumstances, custodial interrogation is not necessary. Accordingly, the Applicant is entitled to pre-arrest bail. Hence, following Order is passed:

ORDER

- (i) In the event of arrest, the Applicant – Mr. Ashish Namdeo Zade be released on bail in C.R. No.209 of 2024, registered with Alankar Police Station, Pune City, on executing P.R. bond of Rs.10,000/- and furnishing one or two sureties in the like amount.
- (ii) The Applicant shall attend the concerned Police Station as and when required by the Investigating Officer.
- (iii) The Applicant is permitted to deposit Demand draft No.3298 dated 8th October 2025 amounting to Rs.7,00,000/-, with the Registrar, High Court, Appellate Side, Bombay. The said deposit will be

subject to further directions to be passed in Writ
Petition filed by the Applicant seeking quashing of C.R.
No.209 of 2024.

9. The Anticipatory Bail Application is allowed and disposed of
in above terms.

10. As the Anticipatory Bail Application is disposed of, nothing
survives in the Interim Application and same is also disposed of.

(MADHAV J. JAMDAR, J.)