



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

ANTICIPATORY BAIL APPLICATION NO. 797/2025

MOHAN HARISHCHANDRA JAGTAP ..APPLICANT
VS.
STATE OF MAHARASHTRA& ANR. ..RESPONDENTS

Adv. Kuldeep Patil a/w. Adv. Yogesh A. Sukale, Adv. S. S. Garade i/b.
Adv. Aadesh Kode-Deshmukh for applicant.
Mr. A. A. Naik, APP for State.

CORAM : RAJESH S. PATIL, J.

DATE : APRIL 28, 2025.

P.C. :

- 1.** This application is filed under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for seeking pre-arrest bail in connection with the First Information Report (FIR) No.60/2025 registered with the Saswad Police Station, for the offence punishable under Sections 504, 506 of the Indian Penal Code read with Sections 39, 45 of the Maharashtra Money Lending (Regulation) Act, 2014.
- 2.** The learned APP submits that that they tried to contact respondent no.2, however, respondent no.2 is not traceable.
- 3.** The learned counsel Mr. Kuldeep Patil submits that the service

is completed on respondent no.2 by RPAD and the affidavit of service to that effect has already been filed.

4. The learned APP submits that he has searched by online method to find out the valuation report of the subject land and as per the said search, the value of the land as of December 2021 was roughly around Rs.1 lakh for 20 gunthas.

5. This Court by an order dated 27/3/2025, has passed the following order.

The learned A.P.P. submits that there are three antecedents against the present applicant, out of which one is under the Maharashtra Money Lending (Regulation) Act, 2014. He submits that the value of the subject land on 7th December 2021 was around Rs.1 crore and not Rs.2,17,000/- as mentioned in the Sale Deed which has been fraudulently executed by the present applicant with the first informant. He submits that there are two more antecedents against the present applicant wherein the offence under Section 498A of the Indian Penal Code, 1860 and the Protection of Children from Sexual Offences Act, 2012 has been added by the wife of the present applicant. He submits that within a period of 10 days, the Investigating Officer will submit the valuation report of the subject land as on 7th December, 2021.

2. Mr.Patil, the learned counsel appearing for the applicant submits that the valuation of any land is normally done as per the ready reckoner. He submits that if there is registered sale deed, then the Court should not go beyond written registered document. He submits that there is no denial of receipt of payment by the first informant.

3. Let this matter come up after two weeks by which date, the Investigating Officer can file a document to show that on 7th December 2021, the value of the subject land was around Rs.1 crore.

4. The applicant is also directed to add the first informant as party respondent no.2. Amendment to be carried out forthwith. It is made clear that if the amendment is not carried out, the anticipatory bail application will stand dismissed without further reference to this Court.

5. Learned A.P.P. to serve a copy of the present proceedings on the respondent no.2/first informant through the Investigating Officer.

6. The applicant is also permitted to serve the respondent no.2 by private service, by all permissible modes of service and file affidavit of service before

the next date of the hearing.

7. Stand over to **15th April, 2025**. Matter to come up under the caption of '**Urgent Circulation**'.

6. Considering the fact that the valuation of the land as mentioned by the applicant is much more than the value as shown in the Ready Reckoner. I am convinced that as of today, the custody of the present applicant is not necessary as the learned APP has not shown any material to show that the present applicant has not cooperated with the IO. Hence, the following order.

ORDER

(a) **The anticipatory bail application is allowed.**

(b) In the event of arrest in connection with FIR No.60/2025 registered with the Saswad Police Station, the applicant shall be released on bail, on furnishing P.R. bond to the extent of Rs.50,000/- with two sureties of the like amount.

(c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and shall not tamper with evidence.

(d) The applicant shall furnish details of his residential address, contact numbers and email address to the Investigating Officer.

(e) The applicant shall attend the concerned police station and meet the IO in every week on Monday's between 11.00 a.m. to 1.00 p.m. till filing of the charge-sheet against the present applicant.

7. Needless to say that violation of any of the aforesaid conditions would make the applicant liable to face proceedings for cancellation of this anticipatory bail. It is also clarified that the observations made in this order are limited to the question of grant of anticipatory bail to the applicant in the present application and that the trial Court shall proceed further, without being influenced by the observations made in this order.

8. The anticipatory bail application is disposed of.

(RAJESH S. PATIL, J.)