

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

Anticipatory Bail Application No.912 of 2025

Krishna Vishwakarma
Aged: 28 years, Occ: Business
an adult Indian of Mumbai
residing at S.No.195/13,
Manwas Chawl, Jha Nagar,
Santosh Bhavan, Vasai,
Palghar, Maharashtra 401209

... Applicant

versus

1. The State of Maharashtra
(Through Bolinj Police)

2. Amit Ramlok
Room No.49, Surya Sadan Bldg.,
Pink Corner, Sidhi Society,
Chembur, Mumbai

... Respondents

Mr Milan Desai, i/b. Mr Sudeep Sharma, for the applicant.

Mr PP Deokar, APP, for respondent No.1/ State.

None present for respondent No.2.

PSI Ram Kundgir, Bolinj Police Station, MBVV, is present.

Coram: R.N. Laddha, J.

Date: 17 July 2025.

P.C.:

Heard Mr Milan Desai, the learned Counsel appearing on
behalf of the applicant, and Mr PP Deokar, the learned

Additional Public Prosecutor representing respondent No.1/
State.

2. By this application, the applicant seeks pre-arrest bail in connection with CR No.21 of 2024, registered at Bolinj Police Station, for offences punishable under Sections 318(4), 336(2), 336(3) and 338 read with 61(2) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution asserts that the applicant, in conjunction with the co-accused, deceived the informant into disbursing Rs. 25,11,000/- under the fraudulent pretence of acquiring a flat in Virar, which included expenses for stamp duty and the registration of the sale agreement.

4. The learned Counsel appearing on behalf of the applicant asserts the applicant's innocence and submits that the applicant has been falsely implicated in the crime. There are no specific allegations against the applicant, and the applicant is not a beneficiary of the alleged funds. The applicant has cooperated with the investigation, and nothing remains to be recovered or discovered from him. The learned Counsel further submits that the applicant is ready to abide by any conditions this Court imposes if granted bail.

5. At the outset, the learned APP representing respondent No.1/ State, based on instructions received from the investigating officer present in the Court, fairly submits that the applicant has surrendered his mobile phone and cooperated with the investigation. The investigation is nearing completion, and a charge sheet has been filed against the co-accused. The learned APP further submits that the prosecution does not require the applicant's custody.

6. Upon perusing the records, it appears that the alleged funds for the purported sale transaction were transferred to the co-accused. The material available on the record does not indicate that the applicant was a beneficiary or recipient of the alleged funds. Apart from the mere assertion that the applicant assisted the informant during the purported registration process, *prima facie*, no overt act has been alleged against the applicant. The learned APP fairly concedes that the applicant has cooperated with the investigation, nothing remains to be recovered or discovered from him, and the investigation has reached an advanced stage, with a charge sheet filed against the co-accused. Furthermore, the prosecution does not seek the applicant's custody. In the circumstances, this Court is inclined to exercise its discretion in favour of the applicant. Hence, the

following order:

ORDER

(i) In the event of the applicant's arrest in connection with CR No.21 of 2024, registered at Bolinj Police Station, he shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.

(ii) The applicant, himself or through any other person, shall not indulge in any activities that may tamper with the evidence or influence witnesses.

7. The application stands disposed of accordingly.

(R.N. Laddha, J.)