

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 919 OF 2025

RAHUL PARSHURAM JADHAV

..... APPLICANT

VERSUS

STATE OF MAHARASHTRA

..... RESPONDENT

Mr. Shekhar Jagtap a/w. Adv.Sairuchita Choudhary i/b. J. Shekhar Associates for the Applicant.

Mr. Anand S. Shalgaonkar, A.P.P. for the State.

Mr. Vikas Shivarkar for the Respondent No.2.

Mr. Sagar G. Janrao, A.P.I., EOW Pune City present.

CORAM : RAJESH S. PATIL, J.

DATE : 23rd APRIL, 2025

P.C. :-

This application is filed for pre-arrest bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Crime No. 47/2023 dated 31st January, 2023 registered with Bundgarden Police Station, Pune for the offence punishable under Sections 420, 406, 467, 468, 471, 120-B r/w. 34 of the Indian Penal Code and Sections 3, 4, 5 of the Maharashtra Protection of Interest of Depositors Act, 1999.

2. This is the second pre-arrest bail application filed by the present applicant – accused no.4. In the earlier round of litigation, when the present applicant had filed his first pre-arrest bail application before this Court, on 3rd July, 2023 the same was rejected by this Court. As per the submissions made before me by the learned counsel appearing for the applicant Mr.Jagtap, the said order passed by this Court was carried to the Supreme Court by way of an Special Leave Petition (Crl.) No. 12326 of 2023. The said Special Leave Petition was disposed of by the Supreme Court on 26th September, 2023 thereby rejecting the application of the present applicant. Against the said rejection order of the Supreme Court, the applicant preferred a review petition, being Review Petition (Crl.) No. 279 of 2024. According to Mr.Jagtap, the said review petition took a long time to be heard and disposed of. The same was dismissed by the Supreme Court by its order dated 16th January, 2025. Mr.Jagtap submits that in the meantime, the accused no.2 preferred an application before the Sessions Court and deposited the entire crime amount of Rs.1,92,06,500/- on 18th July, 2024. After the deposit of crime amount, without admitting the guilt by the accused no.2, the regular bail application of the accused no.2 was granted on 18th July, 2024.

The accused no.1 has already been granted a regular bail. However, the accused no.3 is absconding. The present applicant is accused no.4.

3. Mr.Jagtap further submitted that before the first bail application filed by the present applicant before this Court, was disposed of, there was direction given by this Court by its order dated 2nd May, 2023 thereby permitting the present applicant to deposit a sum of Rs.10 lacs in this Court. He submits that the said sum of Rs.10 lacs was deposited in this Court on 19th May, 2023, a receipt of the same is at page no.102. Mr.Jagtap submits that since the entire crime amount has been deposited, the custody of the present applicant would not be necessary as the applicant is ready to co-operate with the Investigating Officer.

4. The learned A.P.P. on instructions submits that as of today the entire crime amount has been deposited, the investigation needs to go ahead. The present applicant needs to co-operate with the Investigating Officer. The charge-sheet with regard to arrested accused has already been filed on 29th January, 2025 with regard to arrested accused.

5. Considering the fact that the entire crime amount has been

deposited in this Court and charge-sheet has already been filed as regards accused nos. 1 and 2. So also, there are no antecedents as far as the present applicant is concerned, I am satisfied that as of today, the present applicant needs to be protected from being arrested.

6. The present anticipatory bail application is allowed. Hence, the following order :-

ORDER

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

(b) In the event of arrest in connection with Crime No. 47/2023 dated 31st January, 2023 registered with Bundgarden Police Station, Pune for the offence punishable under Sections 420, 406, 467, 468, 471, 120-B r/w. 34 of the Indian Penal Code and Sections 3, 4, 5 of the Maharashtra Protection of Interest of Depositors Act, 1999, the applicant shall be released on bail, on furnishing PR. bonds to the extent of Rs.50,000/- with one or more sureties of the like amount.

(c) The applicant shall co-operate with the investigation and attend and meet the Investigating

Officer of the concerned Police Station on 28st April 2025 and 29th April 2025 between 11:00 a.m. to 1:00 p.m. and every week on Monday between 11:00 a.m. to 1:00 p.m. till the charge-sheet is filed as regards the present applicant.

(d) The applicant should not directly or indirectly contact the first informant in any form whatsoever.

(e) 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 further, the applicants shall not tamper with the evidence in any manner whatsoever.

(f) The applicant shall furnish details of his residential addresses, contact numbers and e-mail addresses to the Investigating Officer.

7. Needless to say, violation of any of the aforesaid conditions would make the applicant liable to face proceedings for cancellation of anticipatory bail. It is clarified that the observations made in this

order are limited to the question of grant of anticipatory bail to the applicants 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.]