

Shabnoor

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

ANTICIPATORY BAIL APPLICATION NO.1162 OF 2025

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Hanumant S/o Laxman Suryavanshi ... Applicant

V/s.

The State of Maharashtra ... Respondent

Mr. Deepak Natu a/w Ms. Gayatri K. Soni i/b N Deek
& Co., for the Applicant.

Mr. Sagar R. Agarkar, APP for the State-Respondent.

Mr. Lingappa Sargar, PSI, Poyand Police Station is
present.

CORAM : AMIT BORKAR, J.

DATED : SEPTEMBER 8, 2025

P.C.:

1. The applicant, apprehending arrest in connection with Crime Register No. I-0006 of 2025 registered with Poyand Police Station, Alibaug, District Raigad, for offences punishable under Sections 310(2), 351(2) read with Section 198 of the Bharatiya Nyaya Sanhita, 2023, has approached this Court seeking pre-arrest bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS).

2. As per the prosecution case in the FIR, the complainant, Namdeo Ishwar Hulge, aged 35 years, a jeweller from Nagpur, was allegedly cheated and robbed of ₹1.50 crore by a group of persons acting in conspiracy under the guise of a gold sale transaction. About fifteen days before the incident, one Samadhan Pinjari,

known to the complainant's associate Nitin Pinjari, informed him about a deal for sale of 7 kilograms of gold for ₹5 crore. This deal was said to be offered by one Shankar Kule, who introduced himself to the complainant over the mobile phone. Relying upon these representations, the complainant along with his associates, namely Nitin Pinjari, Omkar Wakshe and others, collected ₹1.50 crore and travelled towards Alibaug in multiple vehicles on 4 February 2025.

3. As stated in the FIR, near Poyand Tinvira Dam, the complainant was asked to sit in an Innova vehicle driven by the driver of Shankar Kule. The bags containing ₹1.50 crore were also kept in that vehicle. Soon thereafter, two persons in police uniform arrived on a motorcycle and conducted what appeared to be a false police inspection. In the midst of this, the Innova vehicle was driven away along with the money, allegedly on the instructions of Shankar Kule. The two uniformed men assured the complainant that they would recover the vehicle and return, but they never came back. Later, when the complainant saw them again, they fled into the nearby forest.

4. It is further alleged that Samadhan thereafter pretended to contact a politician for help but instead disappeared. He later sent a message to Nitin warning him to switch off his phone due to an alleged police raid. The FIR also alleges involvement of Police Hawaldar Hanamant Suryavanshi and another unidentified police officer. They are said to have contacted the complainant's relatives, made inquiries about the incident, and allegedly issued threats of arrest. Based on these events, the complainant lodged a report

against the applicant and the co-accused.

5. Learned Advocate for the applicant submits that the role attributed to the applicant is limited only to the alleged involvement in the conspiracy of the co-accused. He contends that the phone call made by the applicant was in fact made at the instance of the Investigating Officer, which is recorded in the case diary. Therefore, at present, there is no direct material on record connecting the applicant to the actual offence committed by the co-accused. He further points out that this Court granted an ad-interim order on 25 June 2025, pursuant to which the applicant has cooperated with the investigation and is willing to continue such cooperation. On this basis, he prays for continuation of the interim protection granted to the applicant.

6. On the other hand, learned APP submits that the material collected during investigation indicates the complicity of the applicant in the alleged crime. She therefore prays that the application be rejected.

7. I have considered the rival submissions and perused the material placed on record. The FIR discloses a serious offence involving cheating and robbery of a large sum of money. However, at this stage, what is relevant is the role attributed to the applicant.

8. From the investigation papers, it appears that the main role in the alleged offence is attributed to Shankar Kule and other co-accused persons. The allegation against the present applicant is essentially that of making a phone call. The case diary shows that the said call was made at the instance of the Investigating Officer.

There is no direct material to connect the applicant with either the planning or the execution of the offence.

9. It is also relevant to note that this Court granted ad-interim protection to the applicant on 25 June 2025. Pursuant to the said order, the applicant has remained available to the Investigating Officer and has cooperated with the investigation. There is no allegation of breach of this interim protection. The applicant has also expressed readiness to abide by conditions which may be imposed by this Court.

10. Considering the above circumstances, I am of the view that further custodial interrogation of the applicant is not necessary. The apprehension of the prosecution that the applicant may tamper with evidence or influence witnesses can be addressed by imposing appropriate conditions.

11. In these circumstances, continuation of the interim relief in favour of the applicant is justified. The application, therefore, deserves to be allowed.

12. Hence, following order:

a) In the event of arrest in connection with Crime Register No. I-0006/2025 registered with Poyand Police Station, Alibaug, District Raigad, for offences punishable under Sections 310(2), 351(2) read with Section 198 BNS, the applicant be released on bail on furnishing personal bond of Rs.50,000/- with his recent self-attested photograph and surety of the like amount on the following conditions at the satisfaction of the investigating officer;

- b) The applicant shall remain present before the concerned police station on Monday of every month between 11:00 am to 2:00 pm and thereafter, as and when called by the investigating officer.
- c) The applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.
- d) The applicant shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police.
- e) The applicant shall, at the time of execution of the bond, furnish his address and mobile number to the investigating officer, and the Court concerned, and shall not change the residence till the final disposal of the case.
- f) The applicant shall regularly remain present during the trial, and cooperate with the trial court to complete the trial for the above offence.

13. The anticipatory bail application stands disposed of in above terms.

(AMIT BORKAR, J.)