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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1338 OF 2025

Dhanajirao Shivajirao Patil ...Applicant
Versus
The State of Maharashtra & Anr. ...Respondents

WITH
INTERIM APPLICATION NO.4511 OF 2025
IN
ANTICIPATORY BAIL APPLICATION NO.1338 OF 2025

Col Harish Chandra Joshi & Anr. ...Applicants

IN THE MATTER OF

Dhanajirao Shivajirao Patil ...Applicant
Versus
The State of Maharashtra & Anr. ...Respondents

Mr. K. N. Shermale (Through Video Conferencing) a/w Pavan M. Salunke, for the Applicant.
Ms. S. M. Yadav, APP, for the Respondent-State.
Mr. Niranjan Bhavake a/w Sushant Tayade i/b Sushant Tayade & Associates, for Respondent No.2.
Mr. Mukul Dev (Through Video Conferencing) a/w Mr. Kshitish Tabib, for the Intervenors.
A.P.I. Sawant, Yerwada Police Station, Pune City, present.

CORAM: MADHAV J. JAMDAR, J.
DATED: 24 DECEMBER 2025

PC:-

1. Heard Mr. Shermale, learned Counsel appearing for the Applicant, Ms. Yadav, learned APP, for the Respondent-State of

Maharashtra, Mr. Bhavake, learned Counsel appearing for Respondent No.2 and Mr. Mukul Dev, learned Counsel appearing for the Intervenors.

2. By the present Anticipatory Bail Application filed under Section 482 of the *Bharatiya Nagarik Suraksha Sanhita, 2023*, the Applicant is seeking pre-arrest bail in connection with CR No.800 of 2024, registered with the Yerwada Police Station, Pune City, for the offence punishable under Section 420 of the *Indian Penal Code, 1860*.

3. The prosecution case is set out in Paragraph Nos.2 and 3 of the Order dated 22nd April 2025 passed by the learned Additional Sessions Judge, Pune, in Criminal Bail Application No.7479 of 2024, which reads as under :-

“2] It is contended that accused-applicant D.S. Patil told informant that 80 gunthas of land in Tal. Rajapur, Dist. Ratnagiri, Konkan at Karak and 22 gunthas in Ambolgad are for sale, the lands are good, it will benefit in future so insisted to buy those lands. Initially informant refused but later-on he paid Rs.37.00 lakhs from time to time to applicant-accused. After transferring money complainant inquired about the transferring the land in his name, but just giving one or the other reason, the land was not transferred in his name. Hence,

informant asked accused to give his money back. That time accused told that he does not have money and asked to wait. Thereafter, accused gave trifling reasons and asked to transfer another Rs.8.00 lakhs to complete the transaction. Hence, informant got suspicion and asked to return his amount of Rs.37.00 lakhs, that time accused refused to give back his money and also threatened him. Therefore, informant lodged complaint/ FIR against accused persons at Yerwada Police Station.

3] It is further contended that for doing the agreement i.e. sale deed there was no issue but as accused got knowledge that informant was not a farmer and no land could transfer in his name, but due to the efforts made by present applicant they got some documents of complainant of his agriculture history and then the property situated at village Yerdav was transferred in his name by the present applicant and the said document was registered vide Sale Deed No. 1830/2018 as per his invested amount. Applicant further contended that complainant has already got more than his share in his name, but just to grab more land, he deliberately creates a big illusion in people's minds by giving insufficient information. It is contended that only to create pressure on applicant he lodged criminal complaint, applicant is permanent resident of Pune with his family having roots in society and good reputation, accused is innocent and has not committed any offence. Further contended that the complaint lodged is of casual manner even does not contain bank details of the amounts received etc, it is vague, baseless and incorrect, the evidence is of documentary nature, which is already produced before police. Applicant is ready to co-operate investigation, he is ready to produce all the documents, he will not misrepresent suppress or conceal any material to defraud. It is contended that applicant has made out prima facie case to grant anticipatory bail. Applicant is the only earning member in his family, he has no criminal antecedents, law abiding person, there is unexplained delay in lodging FIR. Applicant has undertaken not to abscond, to furnish surety, he will not

tamper prosecution evidence, he will not jump over the bail and he will abide by the conditions imposed by the Court. With the help of those contentions accused-applicant has prayed to allow the application.”

4. As per the prosecution case, the Applicant accepted huge amounts from various Army Officers for sale of certain agriculture lands. The Applicant was also in the Army service. According to the learned Counsel for the First Informant the Applicant has been terminated from the Army service. Whereas as it is the submission of Mr. Shermale, learned Counsel for the Applicant that the Applicant has been relieved from the service.

5. In any case, the offence has taken place from the year 2015 to 2018. The FIR was lodged on 2nd December 2024.

6. Admittedly substantial amount which the First Informant has paid to the Applicant has been refunded back.

7. Mr. Mukul Dev, learned Counsel appears for the other affected army officers. Learned Counsel states that they have also paid valuable consideration to the Applicant. However, Mr. Shermale, learned Counsel for the Applicant submits that the

agriculture lands which the Intervenors have purchased have already been handed over to the said purchasers. However, it is required to be noted that this Court while dealing with the anticipatory bail cannot go into all these aspects.

8. Accordingly, in the facts and circumstances, the case is made out for grant of anticipatory bail.

9. In view thereof, the following Order is passed:

ORDER

- (a) In the event of arrest of the Applicant - Dhanajirao Shivajirao Patil, in connection with CR No.800 of 2024 registered with the Yerwada Police Station, Pune City, he be released on bail on his furnishing PR Bond in the sum of Rs.1,00,000/- with one or two solvent sureties in the like amount.
- (b) The Applicant shall attend the concerned Police Station on each Sunday between 11:00 a.m. to 02:00 p.m..
- (c) The Applicant shall furnish his cell phone number and

residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.

- (d) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.
- (e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (f) The Applicant shall not leave India without prior permission of the Court.

10. The Anticipatory Bail Application is disposed of accordingly.

11. In view of disposal of the Anticipatory Bail Application, nothing survives in the Interim Application and the same is also disposed of.

[MADHAV J. JAMDAR, J.]