

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

Anticipatory Bail Application No. 1397 of 2025

Abhijit Suresh Jadhav and Anr. ... Applicants

versus

The State of Maharashtra ... Respondent

Mr Gaurav Sharma a/w Mr Nagraj Tarade, for the Applicants.

Mr Prashant Jadhav, APP, for Respondent / State.

PSI Chintamani More, Vile Parle Police Station, Mumbai, is present.

Coram: R.N. Laddha, J.

Date: 23 June 2025

P.C.:

. The learned Counsel for the applicants submits that the informant has already initiated proceedings under Section 138 of the Negotiable Instruments Act, pertaining to the same alleged transaction. He further contends that by instituting the present criminal complaint on the very same cause of action, the informant is indulging in a clear abuse of the process of law with the intent to harass the applicants. Furthermore, there is no *prima facie* material on record to suggest the commission of any criminal offence by the applicants in the present matter. A bare perusal of the documents relied upon, particularly the Memorandum of Understanding (MoU) executed between the

parties, reveals that the dispute is of a purely civil nature, arising out of a contractual relationship. He further submits that the FIR is based solely on documentary evidence, which does not disclose any ingredients of the alleged criminal offence. Additionally, there is a significant and unexplained delay in the lodging of the FIR, which further casts doubt on the bonafides of the prosecution.

2. The learned APP, on instructions from the investigating officer present in the Court, informs the Court that custody of the applicants is not required and assures the Court that the applicants will not be arrested in the present crime till the next date provided the applicants shall attend the concerned police station and cooperate with the investigation.

3. In view of the above, the applicants shall attend the concerned police station on 1st, 2nd and 3rd July 2025 between 11.00 a.m. and 2.00 p.m., and cooperate with the investigation.

4. By consent, stand over to 28 July 2025.

(R.N. Laddha, J.)