IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Anticipatory Bail Application No. 2018 of 2025

Abdul Muslim Choudhary … Applicant

versus

The State of Maharashtra …Respondent

Mr A K Upadhyay a/w Mr Dhananjay Bhosale a/w Mr Rohan Kharat a/w Mr Mithilesh Tiwari, for the Applicant.
Mr Arfan Sait, APP, for Respondent / State.
PSI M K Maner, MIDC Bhosri, Pimpri Chinchwad, Pune, is present.

Coram: R.N. Laddha, J.
Date: 23 July 2025

P.C.:

. The learned Counsel for the applicant submits that no specific role or overact has been attributed to the present applicant in the FIR or in the remand reports dated 22 January 2025, 23 January 2025, 26 January 2025 and 29 January 2025. It is only in the remand report dated 29 January 2025 that the applicant has, for the first time, being shown as an accused, and that too without assigning any reason as to how the applicant is involved in the offence in question. He further points out that the complainant himself has filed an affidavit before the Sessions Court on 15 February 2025, unequivocally stating that the applicant is neither involved in nor responsible for the complaint filed by him. The complainant has also expressly stated that he has no objection if anticipatory bail is granted to the applicant. Moreover, the deponent of the affidavit has clarified that he has never had any interaction with the applicant and that the applicant has, at best, a remote or tangential connection, if any at all, with the transaction forming a subject matter of the FIR.

2. The learned Counsel further submits that to the extent of allegations pertains to the evasion of GST, the offence is governed by special enactment, which constitutes a complete Code in itself, and the jurisdiction to investigate such matter lies exclusively with the Authorities empowered under the GST Laws. Accordingly, it is submitted that the police have no authority to investigate such alleged violations.

3. The learned Counsel submits that aside from the statement of a co-accused, there is no material on record to connect the applicant with the alleged offence. Despite having been informed about the registration of the FIR, the competent GST Authorities have, till date, not initiated any proceedings or action against the applicant.

4. The learned Counsel also submits that the applicant is ready and willing to cooperate with the ongoing investigation and undertakes to appear before the investigating agency as and

when required.

5. On the other hand, the learned APP, on instructions from the investigating officer who is present in Court, submits that the Police Authorities propose to initiate further correspondence with the GST department in connection with the present case. In view thereof, the prosecution seeks an adjournment to enable further steps in the investigation.

6. By consent, stand over to 21 August 2025. In the meantime, the applicant shall attend the concerned police station as and when required by the investigating officer, provide all his bank details and cooperate with the investigation. There shall not be any coercive action against the applicant in the present crime till the next date.

(R.N. Laddha, J.)