

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

Anticipatory Bail Application No.2077 of 2025

Rajesh Rajlingham Cheriya
Age: 43 yrs, Indian Inhabitant,
R/at 404-7, Baba Sheth Chawl,
Patil Chawl, Gauri Pada,
Bhiwandi, Thane, Maharashtra-421302 ... Applicant.

Vs.

The State of Maharashtra
(At the instance of Shantinagar
Police Station, Thane,
in CR No.714/2025) ... Respondent.

Mr Vaibhav D Kadam, a/w Mr Aditya Thorat, Pooja Nikam,
Shrinath Badade, Vedika Bhoir, Shweta Jadhav for the
applicant.

Mr Prashant Jadhav, APP for the respondent / State.

PSI Anand Rathod Shantinagar Police Station, Thane city.

**Coram : R.N.Laddha, J.
Date : 28 July 2025.**

P.C. :

By this application, the applicant seeks pre-arrest bail
in connection with CR No.714 of 2025, registered at
Shantinagar Police Station, Thane City, for offences
punishable under Sections 308(2) read with 3(5) of the

Bharatiya Nyaya Sanhita, 2023.

2. The prosecution alleges that on 3 May 2025, the informant met the co-accused, who, along with the applicant, showed the informant fraudulent Aadhar cards and a salary slip in his name, demanded Rs.50,00,000/-, and threatened to file a police complaint. Despite the informant's refusal, the co-accused filed a false complaint against him on 5 May 2025, alleging theft of a mobile and a laptop. The co-accused continued to threaten and demand money, eventually reducing the demand to Rs.8,00,000.

3. Mr Vaibhav Kadam, the learned Counsel appearing on behalf of the applicant, asserts the applicant's innocence and submits that the present FIR has been lodged by the informant with a malafide intention. He contends that the informant is attempting to evade his legitimate financial obligation by initiating criminal proceedings, thereby avoiding repayment of funds borrowed from the applicant for the purpose of purchasing a dumper vehicle. The allegations levelled against the applicant are vague, lacking in specific particulars, and appear to be general in nature. Moreover, there is an unexplained and inordinate delay in

the registration of the FIR, which further casts doubt on the credibility and *bona fides* of the prosecution's case. The learned Counsel further submits that the applicant has no criminal antecedents, and there is no recovery or discovery to be effected from the applicant in connection with the alleged offence. The applicant has been falsely implicated in the crime and is ready to abide by any conditions this Court imposes if granted bail.

4. Mr Prashant Jadhav, the learned Additional Public Prosecutor representing the respondent/ State, opposes the applicant's request for pre-arrest bail and contends that the offence is of a serious nature. The learned APP submits that the applicant, along with the co-accused, demanded Rs.10,00,000/- from the informant and threatened him with dire consequences if the demands were not met. The investigation is almost complete, and if the applicant is granted pre-arrest bail, he may tamper with the evidence or influence witnesses.

5. Upon perusing the records, it appears that the allegations levelled against the applicant are that, in alleged collusion with the co-accused, he purportedly threatened

the informant into submitting forged documents, a fake Aadhar Card and fabricated salary slips, in the applicant's name. It is further alleged that he demanded money from the informant. Significantly, the alleged incident is said to have occurred in May 2025; yet the FIR was not lodged until June 2025. Furthermore, no money was actually handed over by the informant to the applicant. Other than the unsubstantiated claim that the applicant demanded money, there exists no *prima facie* material on record that directly implicates the applicant in the commission of the alleged offence. Moreover, the applicant has no criminal antecedents. There is no recovery or discovery pending from him, indicating that his custodial interrogation is not warranted. The investigation is nearing completion, and the prosecution's apprehensions about potential evidence tampering and witness influence can be addressed by imposing appropriate conditions. In the circumstances, this Court is inclined to exercise its discretion in favour of the applicant. Hence, the following order:

ORDER

- (i) In the event of the applicant's arrest in CR No.714 of 2025,

registered at Shantinagar Police Station, Thane City, he shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.

(ii) The applicant, himself or through any person, shall not tamper with the evidence or influence witnesses.

(iii) The applicant shall attend the concerned Police Station as and when required by the investigating officer.

6. The application stands disposed of accordingly

[R. N. Laddha, J.]