IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Anticipatory Bail Application No.2113 of 2025

Sunil Omprakash Singhania & Ors. … Applicants.
Vs.
The State of Maharashtra … Respondent.

Mr Sachin Deokar a/w Mr Rajkumar Chaphekar and Vignesh Ashokan for the applicant.
Mr PP Jadhav, APP for the respondent / State.
Ms Lakshmi Raman for the intervenor.
API Kunal Rupwate a/w PSI Riyaz Mulla, Worli Police Station.

Coram : R.N.Laddha, J.
Date : 30 July 2025.

P.C. :

The learned Counsel for the applicants submits that the applicants and the complainant are closely related and share familial ties. The complainant is well acquainted with the business activities of applicants No.3 and 4, as evidenced by their prior financial dealings. Specifically, in November 2023, the complainant had invested a sum of Rs.2 Crores with applicants No. 3 and 4, which was duly returned within a month along with applicable interest. This prior transaction, completed without dispute, clearly demonstrates that the applicants had no dishonest or fraudulent intention. Therefore, it is contended that the essential elements required to constitute an offence under Section 420 of the IPC, particularly the element of deception with intent to cheat, are not satisfied in the present case.

2. The learned Counsel further submits that prior to the registration of the present FIR, the IO had issued a notice to the applicants, directing them to appear at the concerned police station for the purpose of the investigation. This notice was received by the applicants on 19 December 2024. In compliance, the applicants visited the concerned police station on multiple occasions between 26 December 2024 and 14 January 2025 and duly submitted all relevant documents, demonstrating their full cooperation with the investigation.

3. The learned Counsel submits that the issuance of the notice prior to the lodging of the FIR, as well as the applicants continued cooperation thereafter, including submission of financial records such as bank statements, supports the claim that the applicants No. 3 and 4 have not evaded or obstructed the investigation. The learned Counsel

also submits that the applicants No.3 and 4 had received a total of Rs.9,25,000/- from the complainant into their respectively company accounts, namely 'Sensa' and Shri Sensa Enterprises. Out of the said amount, a substantial sum of Rs.1.80 Crores has already been returned to the complainant via official banking channels, thereby indicating an absence of fraudulent intent. On instructions, the learned Counsel further states that, in order to demonstrate their bona fides and without prejudice to their rights and contentions, the applicants are willing to deposit a sum of Rs.5 Crores with the Registry of this Court within a period of three weeks from today. In that respect the learned Counsel seeks leave to deposit this amount. Leave granted as prayed for.

4. Ms Lakshmi Raman appears on behalf of the intervenor and seeks time to file the intervention application.

5. Stand over to 2 September 2025. In the meantime, there shall not be any coercive action against the applicant in the present crime till the next date.

[R. N. Laddha, J.]