

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

Anticipatory Bail Application No.2146 of 2025

Manish Ghevarchand Shah & Ors. ... Applicants.

Vs.

The State of Maharashtra ... Respondent.

Mr Ranjeet M Pawar for the applicant.

Mr SM Mangaonkar, APP for the respondent / State.

Mr Prashant Hagare a/w Mr Krishna Tarde for the
intervenor.

PSI HH Wagaj Yavat Police Station.

Coram : R.N.Laddha, J.

Date : 1 August 2025.

P.C. :

The learned Counsel for the applicant submits that applicant No.1 and the first informant were engaged in a regular course of business transaction from June 2022 to January 2024. During this period, applicants No.1 to 3 made consistent payments to the first informant in connection with the said business dealings. He contends that the present dispute between the parties has arisen solely on account of issues relating to the quality and quantity of goods supplied, thereby giving rise to a purely civil dispute

stemming from a commercial transaction. The learned Counsel argues that the first informant, instead of seeking appropriate civil remedies, is attempting to give the matter a criminal colour in order to exert undue pressure on the applicants.

2. The learned Counsel further submits that there was no entrustment of property by the first informant in favour of the applicants, which is a necessary precondition for invoking criminal breach of trust. He draws attention to the fact that the first informant had issued a demand notice dated 28 January 2025 to the applicants, which unequivocally indicates that the dispute pertains to a commercial transaction of civil nature. The learned Counsel also submits that the applicants have cooperated with the investigation and have complied with all directions issued by the investigating agency, including attending the concerned police station.

3 The learned Counsel further seeks leave to implead the first informant as party respondent and to change the grounds of this application. Leave granted as prayed for. Necessary amendment shall be carried out forthwith. After

the amendment is carried out, issue notice to the newly added respondent.

4 Mr Prashant Hagare appears on behalf of the intervenor and seeks time to file the intervention application.

5 The learned APP also seeks time to take instructions as the investigating officer is not present and assures the Court that the applicants will not be arrested in the present case till the next date. Stand over to **8 August 2025**.

[R. N. Laddha, J.]