

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

Anticipatory Bail Application No.2239 of 2025

Somya Karan Bothara ... Applicant.
Vs.
The State of Maharashtra ... Respondent.

Mr Parvez Memon a/w Mr Chirag Naik, Ms Vijayanti
Sharma i/by MZM Legal LLP for the applicant.
Mr MG Patil, APP for the respondent / State.
Mr Saket Mone a/w Sai Archit M for the intervenor.
API DM Waghmare, IO, EOW Pune.

**Coram : R.N.Laddha, J.
Date : 11 August 2025.**

P.C. :

The learned Counsel for the applicant submits that the applicant has not been named as an accused in the FIR pertaining to the present matter. He further contends that the applicant has been maliciously and falsely implicated in the alleged offence by the informant, solely with the ulterior motive of using her as a scapegoat to exert undue pressure upon her husband, with the intent of coercing him into arriving at an unlawful settlement and/or exerting monetary consideration.

2. The learned Counsel further submits that the dispute between the applicant and the informant is purely civil and commercial in nature, arising out of a business transaction, and does not attract any criminal liability. It is emphasised that the FIR contains no specific allegations, averments, or particulars which would establish any act of misrepresentation, fraudulent inducement, or dishonest intention on the part of the applicant at any stage of the transaction. According to the learned the learned Counsel, the alleged grievance pertains to a business loss and, by settled principles of law, such a dispute cannot be given the colour of a criminal offence, much less an offence of criminal breach of trust under the Indian Penal Code.

3. Mr Saket Mone, learned Counsel appearing on behalf of the first informant, seeks time to file an intervention application. The learned APP also prays for time to obtain instructions from the investigating officer.

4. By consent of the parties, the matter is adjourned and stand over to **2 September 2025**. In the meantime, it is directed that no coercive steps shall be taken action against the applicant in connection with the present crime till the

next date of hearing.

5. To be listed along with Anticipatory Bail Application No.2245 of 2025.

[R. N. Laddha, J.]