

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

Anticipatory Bail Application No.2245 of 2025

Karan Dilip Bothara ... Applicant.

Vs.

The State of Maharashtra ... Respondent.

Mr Aabad Ponda, Sr Advocate a/w Mr Chirag Naik, Ms
Vaijayanti Sharma i/by MZM Legal LLP for the applicant.

Mr SV Walve, APP for the respondent / State.

Mr Saket Mone a/w Sai Archit M. for the intervenor.

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

P.C. :

The learned Senior Counsel, following instructions from the applicant, submits that the applicant, to show his *bona fides* and without prejudice to the rights and contentions, and defences of the parties in the present case, is willing to deposit a sum of Rs.50 lakhs on or before 25 August 2025, and a further sum of Rs.50 lakhs on or before 15 September 2025 and seeks leave to deposit the said amount. Leave granted as prayed for.

2. The learned Senior Counsel further submits that the

dispute between the parties is purely civil and commercial in nature, arising from business transactions, and does not partake the character of a criminal offence. It is asserted that at no stage was there any inducement, fraudulent representation, or dishonest intention on the part of the applicant. On the contrary, there was, at all material times, a mutual understanding and agreement between the applicant and one Shravan Agrawal with respect to the underlying transactions.

3. The learned Senior Counsel further submits that, even until the events of August 2023, the applicant had been making regular and bonafide efforts to discharge the legitimate liabilities of the company, including making payments in tranches towards the same. The FIR does not contain any specific allegation of misrepresentation against the applicant. In these circumstances, it is contended that what is, at its core, a case of commercial loss or a failure of business obligations cannot be transformed into an allegation of criminal breach of trust or any other penal offence.

4. 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.

5. 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.

[R. N. Laddha, J.]