

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

**ANTICIPATORY BAIL APPLICATION NO.2325 OF 2025**

Sanjay Kumar Agrawal & Anr. ... Applicants

V/s.

The State of Maharashtra & Anr. ... Respondents

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Mr. Niranjan Mundargi i/by Prasanna Bhangale for the Applicants.

Mr. P. H. Gaikwad, APP for Respondent No.1-State.

Mr. Amresh Sharma for Respondent No.2.

API Gajanan Bharti, Dindoshi Police Station is present.

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**CORAM : N.R. BORKAR, J.**

**DATE : 20TH SEPTEMBER 2025**

**P.C. :**

1. This is an application for anticipatory bail.
  
2. The Applicants are apprehending their arrest in Crime No.62 of 2023 registered with Dindoshi Police Station for the offences punishable under Sections 420, 406, 465, 467, 468, 471, 474, 120-B of the Indian Penal Code and Sections 66c and 66d of the Information Technology (Amendment) Act, 2008.
  
3. It is the case of the prosecution that the Applicant and the other co-accused entered into conspiracy to remove the first informant from directorship of Euro Trip Private Limited which is a company incorporated under the Companies Act. It is alleged that in furtherance of the said conspiracy, they prepared the forged resignation letter of the first informant. It is alleged that on the basis of said forged resignation letter,

they got transferred 17.450% of shareholding of the first informant.

4. I have heard Learned Counsel for the Applicants, Learned APP for Respondent No.1-State so also Learned Counsel for Respondent No.2-first informant.

5. Learned Counsel for the applicants submits that in relation to the very same allegations, the first informant has filed complaint case before the Magistrate Court at Patna. It is submitted that after filing of the said complaint case a report was lodged with Cyber Police Station, BKC. It is submitted that on the basis of the said report the FIR was registered however, as it was found that the alleged offence had taken place at Patna, the FIR was transferred to the jurisdictional police station at Patna. It is submitted that the present FIR is therefore nothing but the abuse of process of law. It is submitted that there is no need of custodial interrogation as nothing is to be recovered at the instance of the Applicants. It is submitted that the Applicants are ready to co-operate in the investigation.

6. On the other hand, Learned APP for Respondent No.1-State and Learned Counsel for Respondent No.2-first informant submit that the Applicants are involved in serious offence of forgery and cheating. It is submitted that the Division Bench of this Court in a Writ Petition filed by one of the co-accused for quashing of the FIR in question declined to stay the investigation. It is submitted that considering the nature of the crime, the present Application may not be entertained.

7. It is not disputed that the allegations in the complaint case filed by the first informant before the Court of Judicial Magistrate at Patna, the allegations in the FIR which was registered by the BKC police station and transferred to the jurisdictional police station at Patna and the allegations in the present FIR are similar. *Prima-facie*, the present FIR thus appears to be abuse of process of law. Considering the overall facts and circumstances of the case, I am inclined to release the Applicants on anticipatory bail. Hence, the following order:-

**ORDER**

- i. The Anticipatory Bail Application is allowed.
  - ii. In the event of the arrest of the Applicants in Crime No.62 of 2023 registered with Dindoshi Police Station for the offences punishable under Sections 420, 406, 465, 467, 468, 471, 474, 120-B of the Indian Penal Code and Sections 66c and 66d of the Information Technology (Amendment) Act, 2008, they shall be released on bail on furnishing a PR Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each with one or two sureties in the like amount.
  - iii. The Applicants shall attend the concerned police station as and when called for by the investigating officer and shall co-operate in the investigation.
8. The present Anticipatory Bail Application is disposed of in the aforesaid terms.

**(N.R. BORKAR, J.)**