

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2327 OF 2025

Vikas Upadhyay ...Applicant
V/s.
State of Maharashtra & Anr. ...Respondents.

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Mr. Vinod Gangal, Adv. Ritu Gangal and Adv. Shubham Singh for the Applicant.

Mr. B.V. Holambe Patil, APP for the Respondent/State.

Mr. Prakash Wagh for the first informant.

PI Pnakaj Dhodge, Nerul Police Station present.

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CORAM : N.R. BORKAR, J.
DATE : 20.09.2025.

P.C. :

1. This is an application for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No. 728 of 2024 registered at Nerul Police Station, Navi Mumbai for the offences punishable under Sections 120-B, 323, 420, 465, 506 read with 34 of the Indian Penal Code.
3. The applicant is accused No.4 in the aforesaid crime. According to the prosecution, the first informant was in the need of financial assistance to repay the loan of his deceased elder brother. It is alleged that accused Nos. 1 and 2 offered him to secure a loan of Rs.22,00,000/- against the house owned by his father. The first informant agreed to the said offer and handed

over the relevant documents. It is alleged that the co-accused took the signature of first informant's father on multiple forms on the pretext of obtaining loan. It is alleged that the present applicant and other co-accused thereafter got prepared forged agreement of sale. It is alleged that on the basis of said forged agreement of sale, they availed the loan of Rs.39,48,000/- It is alleged that the applicant and co-accused thereafter got transferred the said loan amount to multiple corporate accounts from the bank account of the father of the first informant.

4. I have heard the learned counsel appearing for the applicant, the learned APP for the respondent / State and learned counsel for the first informant.

5. The learned counsel for the applicant has drawn my attention to the order passed by this Court dated 21st August 2025 in Criminal Anticipatory Bail Application No.2251 of 2025 along with connected applications. By the said order, this Court has granted Anticipatory Bail to accused Nos. 1 to 3.

6. Learned counsel for the applicant submits that the main allegations are against the accused Nos. 1 and 2. It is submitted that the applicant has nothing to do with the alleged crime and he is the *bonafide* purchaser of the premises in question.

7. On the other hand, learned APP for the respondent/State and the learned counsel for the first informant submit that the applicant is the main accused. It is submitted that considering the

nature of crime the applicant may not be released on anticipatory bail.

8. I have perused the first information report. The main allegations are against the accused Nos. 1 and 2. As this Court has granted anticipatory bail to them, I am inclined to release the applicant on anticipatory bail. In the result the following order is passed.

ORDER

A) The Application is allowed.

B) In the event of arrest of the applicant in C.R. No. 728 of 2024 registered at Nerul Police Station, Navi Mumbai for the offences punishable under Sections 120-B, 323, 420, 465, 506 read with 34 of the Indian Penal Code, he be released on bail on executing P.R. Bond in the sum of Rs.25,000/- with one surety or two sureties in the like amount.

C) The applicant shall attend the concerned police station as and when called by the Investigating Officer and shall cooperate in the investigation.

[N.R.BORKAR, J.]