

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION
NO.2391 OF 2025

Firoj Rahimtulla Tamboli ... Appellant

V/s.

The State of Maharashtra ... Respondent

Mr. Ghansham Jadhav i/b. Mr. Ganesh P. Mane, Advocate for Applicant.

Mr. V.B. Konde Deshmukh, Addl. P.P.

Mr. Dineshkumar Patil, API,
Yerwada Police Station, Pune City

CORAM : SANDESH D. PATIL, J.

DATE : 16TH SEPTEMBER, 2025.

P.C. :-

1. The applicant has filed present Anticipatory Bail Application interalia praying that in the event of his arrest in connection with C.R. No.531 of 2025 registered with the Yerwada Police Station for the offence punishable u/s. 316(4), 318 (3), 318 (4) and 319 (2) read with Section 3(5) of Bhartiya Nyaya Sanhita ('B.N.S.' for short), he be released on bail. The

complainant is Manager of Asian Paints P.P.G. Pvt. Ltd. The complainant alleges that the applicant Abdul Balu Jamadar was working as Senior Executive, Segment Sales. It is the contention of the complainant that the company has its code of conduct, wherein the accused was to have good relations with the clients. The complainant further alleges that the applicant – Abdul Balu Jamadar has breached that code and has established relationship with clients for his own benefit. It is alleged that the applicant has dealt with one Modern Tecnocrats Company owned by Firoj Tamboli, who is co-accused and applicant in Anticipatory Bail Application No. 2391 of 2025. It is alleged that the accused Abdul Jamadar sold the goods worth Rs.4.76 Crores in between March 2023 to May 2025 to Modern Tecnocrats and Nam Enterprises. It is further alleged that in this transaction the applicant – Abdul Jamadar has received an amount of Rs.36,10,042/- in his account. This amount was received from Modern Tecnocrats to the account of applicant. It is further alleged that the accused – Abdul Jamadar has misappropriated the amount. Further when the settlement of accounts was done by the Company, it was revealed that there was loss caused to the company worth Rs.36,10,042/-. It is alleged that when officers of complainant visited the office of Modern Tecnocrats, Solapur, it was found that it was only shop of Tailor. There was nothing like Modern Tecnocrats Company. It was alleged that Company namely Asian Paints was cheated by Abdul Jamadar by misusing his position. The offence is alleged to

be committed under Section 316(4), 318 (3), 318 (4) and 319 (2) read with Section 3(5) of B.N.S.

2. The advocate for the applicant contended that this is not case of criminal breach of trust because there was no entrustment of property. He further submits that provision of Section 316 (4), 318 (3), 318 (4) and 319 (2) read with Section 3(5) of B.N.S. are not attracted. He further states that this is not case of cheating as there was no delivery of property to him. He further submits that there is no question of cheating by impersonation.

3. The advocate for the applicant submitted that the applicant – Abdul Jamadar and Modern Tecnocrats accused – Firoj Tamboli are relatives. He submits that the transaction of amount of Rs.36,10,042/- is nothing, but family transaction between Abdul Jamadar and Firoj Tamboli as Firoj Tamboli happens to be brother in law of Abdul Jamadar.

4. Mr. Konde Deshmukh, Addl. P.P. on the instructions from Officer present in the court has stated that he has no objection if the present application of Mr. Firoj Tamboli, the applicant in Anticipatory Bail Application No.2391 of 2025 is granted.

5. I have disposed of Anticipatory Bail Application No.2393 of 2025 today, where I have granted bail to the co-accused, the role of present applicant is relatively lesser than the role of applicant in Anticipatory Bail Application No.2393 of 2025. The custodial interrogation of the present applicant is not necessary.

6. Consequently I feel that this is a fit case where the application can be allowed. The Anticipatory Bail Application No. 2391 of 2025 is therefore allowed on the following conditions.

ORDER

- (a) In the event of arrest of the applicant in connection with C.R. No.531 of 2025 registered with the Yerwada Police Station for the offence punishable u/s. 316(4), 318 (3), 318 (4) and 319 (2) read with Section 3(5) of Bhartiya Nyaya Sanhita, the applicant be released on PR Bond of Rs.25,000/- with one or two sureties of like amount.
- (b) The applicant to report the Yerwada Police Station twice a week between 10.00 a.m. to 2.00 p.m. till filing of chargesheet.

- (c) The applicant shall not tamper with the prosecution witness and shall not contact or influence the complainant or any witness in any manner.

The Anticipatory Bail Application No.2391 of 2025 is disposed of accordingly.

(SANDESH D. PATIL, J.)

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