

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2526 OF 2025

Shashikumar I. Mishra

...Applicant

V/s.

The State of Maharashtra

...Respondent.

.....
Mr. Aadil Parsurampur, Mr. Ameya Khot i/b Legal Vision for the Applicant.

Mr. Shahaji R. Shinde, B-Panel Counsel for the Respondent/State.

PI Vilas Shelke (IO), PSI Sunil Sonawane attached to Charkop Police Station present.

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CORAM : N.R. BORKAR, J.
DATE : 18.09.2025.

P.C. :

1. This is an application for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No. 32 of 2025 registered at Charkop Police Station, Mumbai for the offences punishable under Sections 406, 418, 420, 465, 467, 471 read with 34 of the Indian Penal Code.
3. According to the prosecution, the first informant is the owner of Room No.D/8 in Shri Dattaguru Co-operative Housing society, Charkop, Kandiwali, Mumbai. She availed the loan of Rs.1,00,000/- from the co-accused Rutesh Zaveri by mortgaging the said room. It is alleged that the said co-accused took the possession of her room by misleading her. It is alleged that the said co-accused thereafter executed agreement to sell in favour of the present applicant. It is alleged that though the present applicant was aware of pendency of suit, he purchased the room from the co-accused Rutesh Zaveri.

4. I have heard the learned counsel appearing for the applicant and the learned B-Panel Counsel for the respondent/State.
5. Learned counsel for the applicant submits that the dispute between the parties is of civil nature. It is submitted that the suit is already pending before the civil court.
6. On the other hand, learned B-Panel counsel for the respondent/State submits that the applicant is not cooperating in the investigation and is not handing over the sale deed. It is submitted that considering the nature of offence, the applicant may not be released on anticipatory bail.
7. I have perused the FIR. The dispute between the parties *prima facie* appears to be of civil nature. Considering the said fact, 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.32 of 2025 registered at Charkop Police Station, Mumbai for the offences punishable under Sections 406, 418, 420, 465, 467, 471 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.]