IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2584 OF 2025

1. Julie Charles
2. Allan Vinay Charles
3. Stephen Vinay Charles
4. Pankaj Jaju ...Applicants

Versus

The State of Maharashtra & Anr. ...Respondents

Ms. Aisha Shaikh a/w Chinmay Godse & Ramprasad Deore, for the Applicants.
Mr. A. R. Metkari, APP, for the Respondent No.1-State.
Mr. Anvay P. Pawar a/w Vipul V. Dushing, for Respondent No.2-First Informant.

CORAM: MADHAV J. JAMDAR, J.
DATED: 18 NOVEMBER 2025

PC:-

1. Heard Ms. Shaikh, learned Counsel appearing for the Applicants, Mr. Metkari, learned APP, for the Respondent No.1-State of Maharashtra and Mr. Pawar, learned Counsel appearing for the Respondent No.2-First Informant.

2. By the present Anticipatory Bail Application filed under Section 438 of the *Code of Criminal Procedure, 1973* (Section 482 of the *Bharatiya Nagarik Suraksha Sanhita, 2023*), the Applicants are seeking pre-arrest bail in connection with CR No.544 of 2025 registered on 8th August 2025 with the Yerwada Police Station, Pune City, for the offences punishable under Sections 467, 468, 471, 420, 120-B, 506 and 34 of the *Indian Penal Code, 1860*.

3. The prosecution case is set out in Paragraph Nos.14 to 16 of the Order dated 17th September 2025 passed by the learned Additional Sessions Judge, Pune in Criminal Bail Application No.5583 of 2025, which reads as under :-

> "*14. On perusal of copy of FIR, it appears that the name of applicants have been mentioned therein. It appears that the informant had borrowed huge amount from the applicant No.1. As per allegation in FIR, the informant had returned that amount, but the applicant No.1 was demanding more amount. There are allegation that the applicant No.1 had obtained signed blank stamp papers, cheques etc. from the informant and the same have been misused by applicants by forging those blank stamp papers. It appears from the documents filed by both sides that the report was lodged by applicant No.1 against informant and his family for the offences under IPC and MPID Act in which the 'C' summary has been submitted by Police. The 'C' summary show that applicant No.1 had involved the persons who were not at all present at the place of incident. 'C' summary also shows that no offence under MPID Act is made out as alleged by applicant No.1, therefore, police filed 'C' summary in respect of the report lodged by the applicant No.1. Though the said 'C' summary is not yet accepted by the Ld. Court, but the investigation of that report prima facie shows that the applicant No.1 had levelled allegation against the informant. The contention that same investigation officer conducted investigation of two*

reports has no force as both the offences are different and not counter cases.

15. The transaction of lending money by applicant No.1 to informant is not in dispute, but on perusal of agreement alleged to have been executed by the informant and his father in favour of applicant No.1, it appears that the exorbitant rate of interest has been mentioned therein. The applicants have not filed any document to show that they are having money lending license. The WhatsApp chats and transcript filed on record show that the amount of applicant No.4 Jaju and one Anna is involved in the transaction of money lending. It prima facie appears that the transaction of illegal money lending was being done by the applicants. Though, the offence under Maharashtra Money-Lending (Regulation) Act was not levelled in FIR, but the same came to be added during investigation. The WhatsApp chats filed on record also show that the applicant No.2 and 3 are also involved in the present crime. Both sides have filed criminal proceedings against each other, therefore, thorough investigation is required in the present case. Police have already filed 'C' summary in respect of report lodged by applicant No.1. No person is above the law and no person is allowed to play with law and investigating machinery to satisfy their score.

16. In this case allegation of illegal money lending have been levelled against applicants. The offence of money lending without license has been made cognizable in State of Maharashtra. In the present case the element of illegal money lending is apparent. As per contention of investigation agency the applicant No.1 is having several accounts for which the detail investigation is required. The huge amount is involved in the present crime. So thorough investigation is necessary. It is contended that though the applicants were protected by Hon'ble High Court, but they did not cooperate with the investigation and it also appears that after completing argument in this bail application, the original agreements have been handed over by the applicants to

> *Investigating Officer, which were asked for by Investigating Officer since beginning.*"

4. It is the submission of Ms. Shaikh, learned Counsel appearing for the Applicants that Complainant had filed a written complaint against the Applicant before the Anti Extortion Cell on 24th April 2023 and the Anti Extortion Cell after conducting enquiry has held that banks statements show that there are several money transactions between both the parties and several agreements executed between both the parties and therefore no offence is found to be committed. Thereafter, the subject FIR has been registered on 8th August 2025. It is submitted that the Respondent No.2-First Informant has taken loan from the Applicant No.1 of Rs.90,00,000/- (Rupees Ninety Lakhs Only) and several cheques have been issued for repayment and few cheques have been dishonored and a complaint under Section 138 of the *Negotiable Instruments Act, 1881* ("**NI Act**") has already been filed and the same is pending.

5. On the other hand, Mr. Metkari, learned APP for the Respondent-State and Mr. Pawar, learned Counsel for the Respondent No.2-First Informant, submit that the offence is very serious. The Applicant No.1 advanced Rs.90,00,000/- without having money lending license which is mandatory. Applicant No.1 took signed blank letterheads, stamp papers and cheques and fabricated agreements and demanded Rs.1.25 Crores and threatened the First Informant. All other Accused have assisted Accused No.1 in threatening the First Informant. It is submitted that as the Applicants have fabricated the documents and has threatened the First Informant, the custodial interrogation is necessary.

6. Perusal of the record shows that, admittedly, the Accused No.3 - Stephen Vinay Charles and the First Informant - Porus Pramod Desai are the childhood friends. As the First Informant was in need of money, admittedly, Rs.90,00,000/- has been advanced by Applicant No.1 - Julie Charles i.e. mother of Accused Nos.2 and 3 to the First Informant as loan.

7. The above is admitted factual position. However, there is dispute whether the First Informant has refunded entire amount. It is the contention of Mr. Pawar, learned Counsel for the Respondent No.2-First Informant, that the entire amount of Rs.90,00,000/- as also some amount has been paid towards interest and the aggregate amount paid is Rs.1,13,05,400/-. He submits that out of the said amount, Rs.44,00,000/- has been paid by cash. It is the contention of Ms. Shaikh, learned Counsel for the Applicants that only an amount of Rs.54,00,000/- has been received and cheques of balance amount are dishonored and therefore proceedings under Section 138 of the NI Act are filed.

8. In any case, the factual position on record shows that the custodial interrogation of the Applicants is not necessary.

9. Mr. Metkari, learned APP, for the Respondent-State of Maharashtra, states that there are no antecedents.

10. Accordingly, in the facts and circumstances, case is made out for grant of anticipatory bail.

11. In view thereof, the following Order is passed:

O R D E R

(a) In the event of arrest of the Applicant No.1-Julie Charles, Applicant No.2-Allan Vinay Charles, Applicant No.3-Stephen Vinay Charles and Applicant

No.4-Pankaj Jaju, in connection with CR No.544 of 2025 registered with the Yerwada Police Station, Pune City, they be released on bail on their furnishing PR Bond in the sum of Rs.50,000/- each with one or two solvent sureties each in the like amount.

(b) The Applicants shall attend the concerned Police Station on 1st December 2025 and 2nd December 2025 between 11:00 am to 02:00 pm and thereafter as and when called by the Investigating Officer and shall cooperate with the investigation.

(c) The Applicants shall furnish their cell phone numbers and residential addresses to the Investigating Officer and shall keep the same updated, in case of any change thereto.

(d) The Applicants shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.

(e) The Applicants shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.

(f) The Applicants shall not leave India without prior permission of the Court.

12. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]

Note: This order is modified as per order dated 25th November 2025.