IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.3119 OF 2025

Nitin Banwarilal Tekriwal … Applicant
V/s.
The State of Maharashtra & Anr. … Respondents

WITH
ANTICIPATORY BAIL APPLICATION NO.3127 OF 2025

Saroj Satish Tekriwal … Applicant
V/s.
The State of Maharashtra & Anr. … Respondents

WITH
ANTICIPATORY BAIL APPLICATION NO.3120 OF 2025

Amul Anil Agarwal … Applicant
V/s.
The State of Maharashtra & Anr. … Respondents

Ms. Racheeta Dhuru i/by Mr. Nilesh Kumbhar for the Applicants.
Ms. Rutuja Ambekar, APP for Respondent No.1-State.
Mr. Aseem Naphade a/w Ms. Moksha Shah for Respondent No.2.
API Satish Wayal, Borivali PS is present.

CORAM : N.R. BORKAR, J.
DATE : 10TH DECEMBER 2025

P.C. :

1. These are the Applications for anticipatory bail.

2. The Applicants are apprehending their arrest in Crime No.746 of 2025 registered with Borivali Police Station for the offences punishable under Sections 316(2), 318(4), 338, 340(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. It is the case of the prosecution that the first informant is the proprietor of Ankit PharmaChem and his father is the proprietor of Ankit Enterprises. They are in the business of supplying chemicals and solvents. According to the first informant, the co-accused in the present crime, viz., Sunny Tekriwal also started the same business in the name and style of 'S.S.T. Chemicals' and as such the first informant got acquainted with him in April 2023. It is alleged that the said co-accused offered to pay 50% share of profits to the first informant if he supplied chemicals to the companies as per the orders received by him. The first informant agreed to the same. It is alleged that the said co-accused placed certain purchase orders from multiple companies for supplying chemicals and solvents. The allegations against the said co-accused are that the chemicals and solvents worth Rs.2,10,74,692/- were supplied to him between the period from June 2025 to August 2025 and he failed to pay the said amount to the first informant. Later on, the first informant found out that there are major discrepancies between the original purchase orders of the concerned companies and the purchase orders given by the co-accused. The allegations against the present Applicants are that the said co-accused had transferred certain amount to the bank accounts of the present Applicants. According to the prosecution, an amount of Rs.87,00,000/- was transferred to the bank account of the Applicant Saroj in Anticipatory Bail Application No.3127 of 2025, out of which she transferred an amount of Rs.25,00,000/- to the account of the Applicant Nitin in Anticipatory Bail Application No.3119 of 2025. Similarly, an amount of Rs.29,89,000/- was transferred to the bank account of the Applicant Amol in Anticipatory Bail Application No.3120 of 2025.

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

5. Learned Counsel for the Applicants submits that the Applicant Saroj is the mother of the co-accused Sunny Tekriwal and the Applicants Nikhil and Amol are his cousins. The Learned Counsel for the Applicants has drawn my attention to the various documents to show that they have nothing to do with the alleged crime.

6. On the other hand, Learned APP for Respondent No.1-State and Learned Counsel for Respondent No.2-first informant submit that there are multiple suspicious entries in the bank accounts of the Applicants. It is submitted that the custodial interrogation of the present Applicants is necessary to interrogate in respect of the said suspicious entries. It is submitted that considering the nature of crime, the Applicants may not be released on anticipatory bail.

7. I have perused the FIR and documents placed on record. The entire allegations in the FIR are against the co-accused Sunny Tekriwal, who has already been arrested. There are entries of return of amounts by the Applicants Nitin and Amol. 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 Applications are allowed.

ii. In the event of the arrest of the Applicants in Crime No.746 of 2025 registered with Borivali Police Station for the offences punishable under Sections 316(2), 318(4), 338, 340(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023, 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 Anticipatory Bail Applications are disposed of in the aforesaid terms.

(N.R. BORKAR, J.)