

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3157 OF 2025

1. Vijay Rajaram Shelar ...Applicants

2. Sopan Shripati Shelar

Versus

The State of Maharashtra

...Respondent

BHALCHANDRA
GOPAL
DUSANE

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Mr. S.G. Rajput a/w Mr. Ashish Rajput and Ms. Dipali Thakar, for Applicants.

Ms. R.V. Newton, APP for the State.

PSI, Mr. Sardar Vasekar, Panvel Taluka Police Station, present.

CORAM: MADHAV J. JAMDAR, J.

DATED : 18th November 2025

P.C.:

1. Heard Mr. Rajput, learned Counsel appearing for the Applicants and Ms. Newton, learned APP for the State.

2. By this application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS"), the Applicants are seeking pre-arrest bail in connection with C.R. No.146 of 2025 registered with Navin Panvel Police Station, Navi Mumbai, for the offences punishable under Sections 406, 420 read with Section 34 of the Indian Penal Code, 13(1), 13(3), 3 and 4(1) of Maharashtra

Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963.

3. The case of the prosecution is that the Accused No.1- Rajendra Shivram Shelar was the Proprietor of M/s Shelar Group Builders and Developers. He has constructed 240 rooms on the subject land and said rooms were sold without converting the said land into non-agricultural. There is no electricity and water connection provided to the rooms purchased by the purchasers and access road has been closed as there is dispute between the original owners of the property and said Rajendra Shivram Shelar.

4. It is admitted position that Rajendra Shivram Shelar, who is prime accused has been arrested and he is in the custody.

5. Perusal of Agreement of Sale executed with one of the purchasers shows that the same has been executed by M/s Shelar Group Builders and Developers through its Proprietor – Rajendra Shelar.

6. It is the submission of Mr. Rajput, the learned Counsel for the Applicants that the Applicants were employees working with said Rajendra Shelar and they have been paid monthly salary of

Rs.25,000/- and they are not concerned with the crime. He submits that there are no antecedents.

7. On the other hand, Ms. Newton, learned APP states that although the agreements are executed with Rajendra Shelar, who is the Proprietor of Shelar Group Builders and Developers, the present Applicants have actively participated in the crime and therefore anticipatory bail application be rejected.

8. Perusal of record shows that said Rajendra Shelar is the Proprietor of Shelar Group Builders and Developers and he has executed the agreements with various purchasers for the said rooms and received considerations from the purchasers. He has constructed 240 rooms on the disputed land without converting the same into non agricultural. Thus, said Rajendra Shelar is prime accused and he has been arrested and he is in custody.

9. As far as the Applicants are concerned, they are involved in the crime, however, they are not the beneficiaries. Their role is that they were employees working with Shelar Group Builders and Developers i.e. proprietary concern of said Rajendra Shelar, who is prime accused and they have assisted the prime accused. However,

in the facts and circumstances, anticipatory bail can be granted to them by imposing certain conditions.

10. Accordingly, the Applicants are entitled to pre-arrest bail. Hence, following Order is passed:

ORDER

- (i) In the event of arrest, the Applicants- 1) Vijay Rajaram Shelar and 2) Sopan Shripati Shelar be released on bail in C.R. No.146 of 2025 registered with Navin Panvel Police Station, Navi Mumbai, on executing P.R. bond of Rs.25,000/- each and furnishing one or two sureties in the like amount.
- (ii) The Applicants shall attend the concerned Police Station on 26th November 2025 and 27th November 2025 between 11.00 a.m. to 2.00 p.m. and thereafter once in 15 days i.e. on first and third Sunday between 11.00 a.m. to 2.00 p.m. till filing of the Charge-sheet and shall co-operate with the investigation.

- (iii) The Applicants shall furnish their cell phone numbers and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (iv) 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.
- (v) The Applicants shall not tamper with the prosecution evidence and shall not contact or influence the Complainant, or any witness, in any manner.

11. The Anticipatory Bail Application is allowed and disposed of accordingly.

(MADHAV J. JAMDAR, J.)