

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3221 OF 2025

1. Kailas Babulal Kundalwal ...Applicants
2. Nikhil Kailas Kundalwal

Versus
State of Maharashtra ...Respondent

Mr. Rahul Kasliwal, Advocate for Applicants (through VC).
Ms. Shilpa K. Gajre, APP for the State.
PSI, Sunil Bidkar, Nashik Road Police Station, present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 27th November 2025

P.C.:

1. Heard Mr. Kasliwal, learned Counsel appearing for the Applicants and Ms. Gajre, 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.145 of 2025 registered with Nashik Road Police Station, Nashik, for the offences punishable under Sections 126(2), 308(2), 308(3), 309(4), 351(2), 351(3), 352, 79 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 ("BNS"), 3 and 25 of the Arms Act, 1959 and Sections 39 and 45 of the Prevention of Money Laundering Act, 2002 ("PMLA"),

3. As per the prosecution case, the Applicants have given Rs.40,00,000/- to the Complainant for a business purpose and illegally demanded Rs.80,00,000/- including interest. The Applicants also threatened to kill son of the Complainant. On 2nd March 2025, at about 11.00 p.m., accused entered into the house of the Complainant showing pistol and forcibly taken Rs.1,00,000/- from the cupboard. They used filthy language and made obscene gestures before the wife of the Complainant, outraging her modesty.

4. It is the submission of Mr. Kasliwal, learned Counsel for the Applicant that the false F.I.R. has been lodged. He submits that huge amount of Rs.40,00,000/- is outstanding with the First Informant and as the Applicants have demanded said amount, false F.I.R. has been filed. He submits that the Applicants will co-operate with the investigation.

5. On the other hand, Ms. Gajre, learned APP opposed the Application. She submits that the offence is very serious and therefore custodial interrogation is necessary. She submits that the Applicants have no license under the provisions of Money

Laundering Act and inspite of that the Applicants are in the activity of money laundering and therefore the offence is very serious. She submits that there are other 5 cases where also similar allegations are made.

6. Mr. Kasliwal, learned Counsel for the Applicants states that the said antecedents are disclosed and in said all cases, anticipatory bail has been granted to the Applicants.

7. Perusal of record shows that admittedly Rs.40,00,000/- is outstanding with the First Informant. Thus there appears to be civil dispute between the parties. Although the offence is serious, Mr. Kasliwal, learned Counsel submits that the Applicants will co-operate with the investigation.

8. Accordingly, by imposing stringent conditions, anticipatory bail can be granted to the Applicants. Hence, following Order is passed:

ORDER

- (i) In the event of arrest, the Applicants - 1) Kailas Babulal Kundalwal and 2) Nikhil Kailas Kundalwal be

released on bail in C.R. No.145 of 2025 registered with Nashik Road Police Station, Nashik, on executing P.R. bond of Rs.1,00,000/- and furnishing one or two sureties in the like amount.

- (ii) The Applicants shall attend the concerned Police Station on 4th December 2025 and 5th December 2025 between 11.00 a.m. to 3.00 p.m. and thereafter once a week i.e. on each Sunday between 11.00 to 2.00 p.m. 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 leave India without prior permission of the Court.

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

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

BHALCHANDRA
GOPAL
DUSANE

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(MADHAV J. JAMDAR, J.)