

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3341 OF 2025**

Sanil Hiren Pimple S/o Mr.
Hiren Shantaram Pimple
V/s.

...Applicant

The State of Maharashtra

...Respondent

Mr. Rohit G. thorough (VC), Advocate for the Applicant.

Mr. B. V. Holambe Patil, APP for the Respondent/State.

Mr. Viresh V. Purwant a/w Mr. Suraj Gadkari, Advocate for the
Original Complainant.

CORAM : N.R. BORKAR, J.
DATE : 05.12.2025.

P.C. :

1. This is an application for Anticipatory Bail.
2. The applicant is apprehending his arrest in Crime No. 601 of 2025 registered at Naupada Police Station, for the offences punishable under Sections 316(5), 318(4) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. It is the case of the prosecution that the applicant and other co-accused decided to construct residential building on the land owned by them. The first informant had booked two flats in the said project and paid total amount of Rs.1,42,00,000/- between the years 2017 to 2019. It is alleged that the intention of the applicant and other co-accused from inception was to defraud the first informant as they never started the construction of the said residential building.
4. I have heard the learned counsel for the applicant, the

learned APP for the respondent-State and the learned counsel for the first informant.

5. The learned counsel for the applicant submits that the applicant has nothing to do with the alleged crime. It is submitted that at the time of the alleged transaction the applicant was not in India. It is submitted that neither he has signed the alleged MOU nor he is the beneficiary of the alleged defrauded amount. It is submitted that there is a delay in lodging the FIR. It is submitted that even otherwise the dispute, if any, is of civil nature and there is no need of custodial interrogation of the present applicant.

6. On the other hand, the learned APP for the respondent-State and learned counsel for the first informant submit that since inception the intent of the applicant and other co-accused was to defraud the first informant. It is submitted that after committing the alleged crime they shifted to some other State. It is submitted that considering the nature of crime, the applicant may not be released on anticipatory bail.

7. I have perused the First Information Report. *Prima facie*, the learned APP is right in submitting that the intent of the applicant and other co-accused was to defraud the first informant as they never started the construction of the building. In that view of the matter, it cannot be said that dispute is of purely civil nature. Considering the nature of crime, I am not inclined to release the applicant on anticipatory bail. The Application is rejected.

[N.R.BORKAR, J.]