IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.3349 OF 2025

Harishchandra Changu Vajantri ...Applicant
Versus
State of Maharashtra & Anr. ...Respondents

Ms. Radhika S. Navander , Advocate for the Applicant.
Ms. S. M. Yadav, APP for the State.
API, Alka Jadhav Cyber Police Station, Pune, present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 23rd December 2025

P.C.:

1. Heard Ms. Navander, learned Counsel appearing for the Applicant and Ms. Yadav, learned APP for the State.

2. By this application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("**BNSS**"), the Applicant is seeking pre-arrest bail in connection with C.R. No.815 of 2024 registered with Pune City Cyber Police Station, Pune City, for the offences punishable under Sections 319(2), 318(4), 204 and 61(2) of the Bharatiya Nyaya Sanhita, 2023 ("**BNS**") and under Section 66(D) of the Information and Technology Act, 2000.

3. The prosecution case is set out in Paragraph No.2 of the order dated 23rd September 2025 passed by learned Additional Sessions Judge, Pune, which reads as under :

> "*2. The facts as per the FIR are to the effect that the complainant, a corporate executive in a private company was contacted by unknown callers, posing themselves to be police officers of Bangalore police, and threatened him of digital arrest, for having indulged in money laundering case. Under the garb of verifying the bank credits, the complainant was compelled to pay Rs.6.29 crores online and was divested of the said amount. He, therefore, lodged complaint with cyber crime portal, and later, a police report, following which, the FIR in the present case came to be registered on 20/11/2024. In the investigation, that follow, it unfolded that an amount of Rs.20 lakhs landed up in account ending with number 3600 of HDFC bank Roha, standing in the name of one Shree Dhavir construction, of which, the present applicant, and his father are stated to be the partners. It unfolded further that between 09/11/2024 and 11/11/2024, considerable amount of credits i.e. Rs.4 crores was received in the said account, but were immediately diverted to some other account. A fixed deposit of Rs.90 lakhs and another FD of Rs.20 lakhs was made in the bank on the same day. Following the trail, the accused came to be arrested on 29/05/2025 from a resort in Panvel and was subjected to PCR till 02/06/2025, after which, he is into Magistrate custody. The accused later applied for bail before the learned Magistrate. However, it came to be rejected on 18/08/2025. It is, in these circumstances, that the applicant/accused has approached this court for grant of bail.*"

4. Thus, as per the prosecution case, the First Informant who is Executive in private company was contacted by unknown callers, posing themselves to be Police Officers of Bangalore Police and threatened him of digital arrest for having indulged in money laundering case. Under the pretext of verifying the bank credits of the First Informant, he was compelled to pay Rs.6.29 crores online and was divested of the said amount. He therefore, lodged complaint with Cyber Crime Portal. During the investigation it was found that an amount of Rs.4,71,26,012/- was credited in the account of the present Applicant on 11th November 2024 and immediately thereafter, fixed deposits of Rs.20,00,000/- and Rs.90,00,000/- were created. Thus, the total fixed of deposits an amount of Rs.1,10,000,00/- was created. Thus, the perusal of record shows that very serious offence is committed.

5. The Supreme Court in the case of ***Nikita Jagganath Shetty alias Nikita Vishwajeet Jadhav v. State of Maharashtra***[1], has held that the Anticipatory Bail is an exceptional remedy and ought not to be granted in a routine manner. There must exist strong reasons for extending indulgence of this extraordinary remedy to a person

1 2025 SCC OnLine SC 1489

accused of grave offences. It has been further held that while called upon to exercise the said power, the Court concerned has to be very cautious as the grant of interim protection or protection to the accused in serious cases may lead to miscarriage of justice and may hamper the investigation to a great extent as it may sometimes lead to tampering or distraction of the evidence. The said observations of the Supreme Court are squarely applicable to the present case.

6. The Supreme Court in the case of ***State Rep. by the C.B.I. Vs. Anil Sharma***[2] has held that the custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well ensconced with a favourable order under Section 438 of the Code of Criminal Procedure, 1973 i.e. Section 482 of BNSS. It has been held that for effective interrogation of a suspected person in a serious case, custodial interrogation is necessary.

7. This is a case where the Applicant is involved in a serious crime of digital arrest. Huge amount of Rs.4,71,26,012/-. Has been deposited in his account. Thus in the facts and circumstances, the custodial interrogation is necessary.

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2 (1997) 7 SCC 187

8. Accordingly, no case is made out for grant of Anticipatory Bail Application. The Anticipatory Bail Application is dismissed.

(MADHAV J. JAMDAR, J.)