

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.572 OF 2025
WITH
INTERIM APPLICATION NO.833 OF 2025

Sanjiv S/O Shankar Avhad And Ors	...Applicants
Versus	
State Of Maharashtra	...Respondent

Mr. Pradhyumna Sharma a/w. Mr. Vinod Gupta, Mr. Baliram Sawant,
Mr. Datta Sawant, Advocate for the Applicant.

Ms. Pallavi N. Dabholkar, APP for the State.

Mr. Satyavrat Joshi i/b. Shivani Sunil, Kondekar, Advocate for the
Applicant in IA/833/2025.

CORAM : RAJESH S. PATIL, J.

DATED : 12 MARCH 2025

P.C.:

INTERIM APPLICATION NO.833 OF 2025

1. Interim Application No. 833 of 2025 was filed by the first informant, seeking that a copy of the anticipatory bail application be served on the informant and that the informant be added as party respondent No. 2 in the anticipatory bail application.
2. Heard. I have gone through the contents of the application. In view of the law laid down by the Hon'ble Supreme Court in *Jagjeet*

Singh & Ors. v. Ashish Mishra @ Monu & Anr., Criminal Appeal No. 632 of 2022, it has been held that a victim is entitled to be heard during the adjudication of the bail application of the accused.

3. In light of the same, the interim application is allowed in terms of prayer clause (a).

4. The learned Advocate for the Applicant seeks liberty to amend the Anticipatory Bail Application and add the first Informant as a party Respondent No.2. Amendment to be carried out forthwith.

5. It is made clear that if the amendment is not carried out, the anticipatory bail application will stand dismissed without further reference to this Court.

ANTICIPATORY BAIL APPLICATION NO.572 OF 2025

1. By way of present application the applicants prayed to release them on bail in the event of their arrest in connection with Crime No.33/2025 registered at Sarkarwada Police Station for commission of offence punishable under Sections 406, 409, 420 read with Section 34 of the Indian Penal Code, 1860.

2. After the matter was heard for some time, the learned Advocate appearing for the applicants in the anticipatory bail application submits that the present applicant has received a sum of Rs.1,50,00,000/- from the informant. However, the allegations in the complaint regarding the

transaction for the purchase of a crushing machine and investment in a business are not accurate. Although there was a business transaction between the parties for which Rs.1,50,00,000/- was paid, the deal did not materialize, therefore, no further action was taken. Nevertheless, an FIR has been lodged on false grounds. The learned Advocate submits that, in order to demonstrate the bona fides of the present applicants, they are willing to deposit Rs.1,50,00,000/- with this Court within a period of three weeks from today, without admitting their guilt and without prejudice to the rights and contentions of the parties.

3. Mr. Joshi, the learned Advocate for the informant, submits that the order passed by the Sessions Court while rejecting the bail application of the present applicants mentions that a sum of Rs.2,50,00,000/- was paid by the informant to the applicants. Therefore, the present applicants should be directed to deposit Rs.2,50,00,000/-.

4. I have heard the learned Advocates for the parties. As of now, without prejudice to the rights and contentions of the parties, the applicants are permitted to deposit a sum of Rs.1,50,00,000/- with this Court within a period of three weeks from today.

5. Stand over to 7 April 2025 under the caption “**For Urgent Circulation**”.

6. In the meanwhile, no coercive steps will be taken against the applicants until the next date of hearing. Further, they shall refrain from contacting the victim, their family members, or their relatives in any form, including online messages, until further orders of this Court.

7. The applicants are directed to attend the office of the Investigating Officer on 25 March 2025 and 26 March 2025 between 11:00 a.m. and 1:00 p.m.

8. The informant is permitted to attend the office of the Investigating Officer and provide all details regarding the payments made to the applicants.

(RAJESH S. PATIL, J.)