



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.90 OF 2025

(Omkar Bhaurao Anjekar Vs. State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. Bhushan Dafle, Advocate for the applicant.
Mr. M.K. Pathan, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.

DATED :- FEBRUARY 28, 2025

Apprehending the arrest at the hands of police in connection with Crime No.28/2025 registered with Police Station Kapil Nagar, Nagpur, District Nagpur for the offences punishable under Sections 420, 406, 506(2), 504 read with Section 34 of the Indian Penal Code, the applicant approached this Court for grant of pre-arrest bail.

2. Learned Counsel for the applicant submitted that the crime is registered on an allegation that one Jai Gajanan Real Estate Proprietor agreed to sell the plot which is not owned by the said firm and obtained the money. As far as the present applicant is concerned, he has not received any amount towards this transaction. Thus, *prima facie* case is not made out against the present applicant, his custodial interrogation is not required, and therefore, he be released on anticipatory bail.

3. Learned APP strongly opposed the application and submitted that the custodial interrogation of the applicant is required. He further submitted the Gajanan Real Estate is a proprietary firm and one Sanjay Dapodkar who has received the said amount. Thus, considering the same, the custodial interrogation of the applicant is required and prays for rejection of the application.

4. I have heard learned Counsel for both the parties. On perusal of the investigation papers it reveals that as far as present applicant is concerned who has not received a single penny towards the said transaction. Whatever amount is transferred, is transferred in the name of Sanjay Dapodkar, therefore, the custodial interrogation of the applicant is not at all required. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass following order:

(i) The application is allowed.

(ii) In the event of arrest, the applicant – Omkar Bhaurao Anjekar in connection with Crime No.28/2025 registered with Police Station Kapil Nagar, Nagpur, District Nagpur for the offences punishable under Sections 420, 406, 506(2), 504 read with Section 34 of the Indian Penal Code, be released on anticipatory bail, on executing P.R. Bond in

the sum of Rs.25,000/- with one solvent surety in the like amount.

(iii) The applicant shall attend the concerned police station twice in a week i.e. on every Monday and Thursday between 10.00 AM and 1.00 PM and shall cooperate with the investigating agency.

(iv) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.

(v) The applicant shall furnish his detailed address with address proof and names of two relatives along with their address proof, before the investigating agency.

5. The contravention of any of the condition would lead to the cancellation of bail.

6. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)