



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 267 OF 2025

(Abhilash s/o Rajkumar Shah and anr. 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. Digvijay Prakash Singh, advocate for the applicants.

Mr. A. M. Ghogare, APP for the State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 08/05/2025.

1. Apprehending the arrest at the hands of police in connection with Crime No.234/2025 registered with Police Station Chandrapur, District Chandrapur for the offence punishable under Sections 318(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, the applicants approached this Court for grant of anticipatory bail.

2. Heard learned counsel for the applicants, who submitted that the crime is registered on the basis of a report lodged by Dr. Swapnil Ajabrao Punekar, who is the owner of the hospital, namely Punekar Cardiology Hospital.

3. He submitted that, as per the allegations, the quotation for installing the air conditioners was given by the present applicants, and the installation work is to be done by Gagandeep Saini, who is the proprietor of Gurunanak Refrigeration. As the said installation was not completed, therefore, the FIR is lodged. He submitted that

the civil dispute pending between the informant and Gagandeep Saini and no previous offence is registered against him. The present applicant has nothing to do with it. Thus, considering the same, he be protected by granting anticipatory bail. It is further submitted that he has cooperated with the investigating agency.

4. Learned APP strongly opposed the application and submitted that considering that the money was taken and the installation work was not done, therefore the custodial interrogation of the applicant is required.

5. On hearing both sides and on perusal of the investigation papers, it reveals that as far as the present applicants are concerned, which is only to the extent of giving the quotations. The installation work was not given to them. Thus, considering this aspect, the application for grant of anticipatory bail deserves to be allowed. Accordingly, I proceed to pass the following order:

ORDER

- a] The criminal application is **allowed**.
- b] The interim protection granted to the present applicant by order dated 22/04/2025 is hereby confirmed on the condition that applicants shall attend the concerned police station as and when required for the investigation purpose on issuing the notice in advance to the present applicants.

- c] The applicants 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.

Criminal application is **disposed of** accordingly.

[URMILA JOSHI-PHALKE, J.]