



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

CRIMINAL APPLICATION (ABA) NO.289 OF 2025

(Tanveer Ahmad Mohd. Zameer and ors. 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. K.R. Giripunje, Advocate for the applicants.
Mr. C.A. Lokhande, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- AUGUST 25, 2025.

Apprehending the arrest at the hands of police in connection with Crime No.271/2025 registered with Police Station Tiosa, District Amravati for the offence punishable under Sections 318(4) and 3(5) of Bharatiya Nyaya Sanhita, 2023, the applicants approached this court for grant of pre-arrest bail.

2. Learned Counsel for the applicants submitted that the crime is registered on the basis of the information supplied by the informant by name Vivek Deshmukh who is an agriculturist residing in the village Tiwsa. The applicants had been to the house of the informant by two vehicles for purchasing cotton. On 23/07/2024 they purchased 41.33 quintal cotton but when the informant got verified the cotton, he found that the applicants by using a remote control while weighing the cotton committed cheating, and therefore, the informant went to Shirkhed police station and lodged the report.

3. Learned Counsel for the applicants submitted that as far as the custodial interrogation is concerned which is not required. The machine is already seized. Hence, the applicants can be protected by granting anticipatory bail.

4. Learned APP strongly opposed the application and submitted that the material such as weighing machine involved in the crime is already seized by the Investigating Officer attached with the Shirkhed police station so also the report from the C-Tech company which has manufactured the machine has obtained in the connected crime which shows that the original mother board of the weighing machine is changed electronic chip is installed in it in view to control it by the remote. The remote which was used by the applicants in order to control the functioning of the weighing machine is yet to be seized, and therefore, the custodial interrogation of the applicant is required. He submitted that though remote is produced by the present applicants but which is not in a working condition. Thus, the applicants are not cooperated.

5. On hearing both the sides and on perusal of the investigation papers as far as the seizure of the machine is concerned which is already done. The remote is also seized by the investigating agency. As far as the present crime is concerned it is pertinent to note that the FIR is lodged after one and half year. Against the applicants the other offence are already registered

wherein the anticipatory bail application is already rejected on the similar grounds but as far as the present FIR is concerned which is after one and half year and no explanation is put forth as far as the delay in FIR is concerned. Considering that the FIR is registered after the delay of one and half years. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order:

(i) The application is allowed.

(ii) In the event of the arrest, the applicants - 1) Tanveer Ahmad Mohd. Zameer, 2) Rajik Khan Nur Khan, 3) Jafar Beg Jamir Beg, 4) Mohammad Tazakkir Mohd. Zamir and 5) Azimuddin Isamuddin in connection with Crime No.271/2025 registered with Police Station Tiosa, District Amravati for the offence punishable under Sections 318(4) and 3(5) of Bharatiya Nyaya Sanhita, 2023, be released on anticipatory bail, on executing PR. Bond in the sum of Rs.25,000/- each with one solvent surety each in the like amount.

(iii) The applicants shall attend the concerned police station once in a week i.e. on every Monday between 10.00 AM and

1.00 PM and shall cooperate with the investigating agency.

(iv) 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.

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

7. The application stands disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*