



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

CRIMINAL APPLICATION (ABA) NO.495 OF 2025

Subhash Kumar Fatehpuria s/o Premchand Fatehpuria
Vs.

State of Maharashtra, through Commissioner of Police, Nagpur
District Nagpur and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Anil Mardikar, Senior Counsel a/b Mr. V. R. Deshpande, Counsel for
the applicant.
Mr. N. B. Jawade, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 08/07/2025

1. The present application is filed by the applicant for grant of transit anticipatory bail in connection with Crime No.110/2025 registered with Police Station Bowbazar, Kolkata (West Bengal).

2. Heard learned Senior Counsel for the applicant, who submitted that the applicant is apprehending the arrest in connection with the said crime, as he is the Director of Agrawal Pipe and Fittings. The applicant is a senior citizen suffering from various ailments. The First Information Report is lodged on the basis of the report lodged by the AU Small Finance. In fact, the said bank has already initiated recovery proceedings against the loan and other actions under the relevant laws for the recovery of the debt amount, but now this FIR is

lodged only to pressurize the present applicant to pay the amount. The dispute is of a civil nature. The proceeding before the Debt Recovery Tribunal (DRT) is already pending. In view of that, the custodial interrogation of the present applicant is not required and the applicant requires some time to approach the concerned Court and therefore, he be protected by granting anticipatory bail by way of transit bail.

3. Learned APP strongly opposed for the same and submitted that considering the allegations levelled against the present applicant which is a financial transaction and the applicant has obtained the loan for his firm and not repaid back to it and the financial institute was duped. In view of that, the prayer for grant of transit bail deserves to be rejected.

4. On hearing both sides and on perusal of the record which is filed along with an application, it revealed that one of the **accused** is already protected by the Kolkata High Court in Criminal Application bearing C.R.M.(A) No.1821/2025. One of the accused is also protected by the Hon'ble Apex Court in Special Leave to Appeal (Crl.) No.9563/2025 dated 03.07.2025. On perusal of the FIR and the documents, it reveals that out of a loan transaction, as the firm failed to repay the amount, the crime appears to have been registered. In view of that the immediate custodial interrogation is not required. The

Corrected as per
Court's order
Dated 10.07.2025 passed
in APPP No.1369/2025.

applicant has made out a case for grant of transit bail for the period of four weeks. In view of that I proceed to pass following order:

ORDER

(i) In the event of arrest in connection with Crime No.110/2025 registered with Police Station Bowbazar, Kolkata (West Bengal) for the offence punishable under Sections 61(2), 318(4), 316(2), 336(2), 336(3), 338, 340(2) of the Bharatiya Nyaya Sanhita, 2023, the applicant **Subhash Kumar Fatehpuria s/o Premchand Fatehpuria** shall be released on transit anticipatory bail, on executing P.R. Bond of Rs.50,000/- with one solvent surety in the like amount for the **period of four weeks**.

(ii) The applicant shall attend the concerned Police Station on 31.07.2025 between 10:00 a.m. to 01:00 p.m. and shall co-operate with the investigating agency.

(iii) The applicant shall approach to the concerned Court within **four weeks**.

(iv) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)