



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

CRIMINAL APPLICATION (BA) NO.853 OF 2025

(Deepak alias Ashwin Samdas Pallade 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. N.G. Tikar, Advocate for the applicants.
Ms T.H. Udeshi, APP for the State.

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

By this application, the applicants are seeking bail as they came to be arrested on 19/06/2025 in connection with Crime No.190/2025 registered with Police Station Nandgaon Khandeshwar, District Amravati for the offences punishable under Sections 310(2) of the Bharatiya Nyaya Sanhita, 2023.

2. The crime is registered on the basis of report lodged by the informant Padmina Pratap Bharne that she is having a vegetable shop near Mutton market at Sarkhani. Applicant No.2 does labour work in her shop and is known to her. Prior to the incident he told her that he knows one person who is having 250 grams gold coins which he wants to sell and if she gets to desire she can purchase the same. Thereafter applicant No.2 gave her mobile number to the said person. From 07/06/2025, she started receiving phone calls from the said person who introduced himself as Ashwin @

Deepak resident of Yavatmal. Initially, Ashwin @ Deepak informed the complainant that, the cost of gold coins is Rs.15.00 lakhs but when she informed him that she did not have that much money he agreed to sell the same at Rs.3.00 lakhs. On 14/06/2025, when the complainant took her mother for medical examination the person by name Ashwin @ Deepak called her to meet him and took the complainant and her mother to a spot under a tree. On that spot one unknown person approximately 55 years old came and he shown gold coins to her and asked her whether she wants to purchase it. But since she was not carrying the cash, she came back home. The said person Ashwin @ Deepak was regularly calling the complainant to buy the said gold coins. On 17/06/2025, the complainant informed Ashwin that she is willing to purchase the said gold coins. The complainant hired four wheeler vehicle and with two other persons and her mother went to Ner. Ashwin met her and he sat in the vehicle and started their journey on Amravati road. At that time Ashwin told the complainant that his name is Deepak and he is also called as Ashwin. After traveling some distance on Amravati road from Nandgaon Khandeshwar said Ashwin @ Deepak asked to stop the vehicle since he wanted to attend nature's call. When the vehicle stopped, it was around 4.30 PM to 5.00 PM in the evening. One white coloured four wheeler came from Amravati Road and 3 to 4 unknown persons got down from the said car, came near the vehicle. One person was holding a stick in his hand. They assaulted the complainant and other persons with the help of fist, kick blows and stick and they also threatened the complainant and snatched away the bag containing Rs.3.00 lakhs. Thereafter

all unknown persons sat in the vehicle and left the place. On the basis of the said report, police have registered the crime against the present applicants.

3. Learned Counsel for the applicant submitted that as far as the applicants are concerned they were not at all involved in the offence. Applicant No.3 was not present at the spot of incident. He submitted that now the investigation is practically completed, further incarceration of the applicants is not required. There are no criminal antecedents against them. In view of that, the application deserves to be allowed.

4. *Per contra*, learned APP strongly opposed the application and submitted that there is a recovery at the hands of the present applicant Nos.1 and 2. Applicant No.3 is the person who was serving at the house of the complainant who gave said information to the other co-accused and thereafter by hatching conspiracy all have decided to intercept the complainant and thereafter the amount was snatched from her by all the accused. As far as these applicants are concerned applicant Nos.1 and 2 from whom the money was recovered. From applicant No.1 – Deepak @ Ashwin the amount of Rs.20,000/- was seized whereas from applicant No.2 – Shamrao Rakhade the amount of Rs.20,000/- is seized. Thus, there is a recovery from the applicants. It further reveals from the investigation that in the name of applicant No.3 Sim card was obtained. It was used by applicant No.1 to communicate with the informant. During TI parade also, the

applicants are identified by the witnesses. Thus, the investigation is still in progress, other accused are still absconding. Considering, the fact that the investigation is still going on and the involvement of the present applicants in the aforesaid crime reveals from the investigation papers, the application deserves to be rejected.

5. Accordingly, the application is rejected.

(URMILA JOSHI-PHALKE, J.)

**Divya*