



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

CRIMINAL APPLICATION (APPLN) NO.102/2024

(Vinay S/o Radheshyam Bhattad Vs. State of Maharashtra, through Police Station Officer, Police Station Ambazari, Nagpur and others)

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

Court's or Judge's orders

Mr. G.S. Gour, Advocate for the applicant.
Mr. N.R. Rode, A.P.P. for the non-applicant No.1/State.
Mr. Atul Pande, Advocate for non-applicant Nos.2 and 3.

CORAM: MRS.VRUSHALI V. JOSHI, J.
DATED: 17.12.2025.

The applicant has filed this application for cancellation of anticipatory bail granted to the non-applicant Nos.2 and 3 on the grounds that N.C. which was registered earlier to the passing of order of granting anticipatory bail and the *prima facie* case made out against the non-applicant Nos.2 and 3 are not considered by the trial Court while granting anticipatory bail to the applicant.

2. The learned Advocate for the applicant has stated that the non-applicant Nos.2 and 3 cheated the first informant by giving assurance that he will get more money and initially the interest was given by the non-applicant Nos.2 and 3 and thereafter they stopped giving interest and returning the amount. Therefore, cheques given by the non-applicant Nos.2 and 3 were deposited, but they were dishonoured. Under Section 138 of the Negotiable Instruments Act proceeding is also pending. Considering all these facts, the trial Court should have rejected the anticipatory bail.

3. Heard both sides and perused the record.

4. The reasons given by the applicant that earlier N.C. registered and *prima facie* case made out against the non-applicant Nos.2 and 3 are not considered by the trial Court, cannot be considered, at this stage, for cancellation of bail. These are not sufficient grounds to cancel the anticipatory bail granted to the non-applicant Nos.2 and 3. Hence, the application is rejected.

(MRS.VRUSHALI V.JOSHI, J.)