



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

CRIMINAL APPLICATION (BA) NO.934/2025

(Parimal S/o Chandrashekhar Kotpalliwar Vs. State of Maharashtra,)

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

Court's or Judge's orders

Mr. S.P. Bhandarkar, Advocate for the applicant.
Mr. V.A. Thakare, A.P.P. for the non-applicant/State.

CORAM: MRS.VRUSHALI V. JOSHI, J.
DATED: 16.10.2025.

The applicant is arrested in Crime No.286/2025 for the offence punishable under Sections 3(5), 318(2) and 318(4) of the Bharatiya Nyaya Sanhita.

2. The F.I.R. is registered against this applicant along with other accused namely Milind Dhawad and Vishal Khapekar.
3. The applicant has given an assurance of giving admission to the son of the Informant and received an amount of Rs.66,000,00/-.
4. The allegations are made that though the applicant has received the amount, the admission was not given to the son of the complainant and, therefore, the offence is registered.
5. The learned Advocate for the applicant has stated that as the entire amount was not been given by the complainant for the admission, the admission was not done. The applicant has not cheated the complainant. The applicant is ready to return the amount whichever he has received. There is no question of any fraud as he has opened Counseling Centre and has promised to give admission but as the complainant failed to deposit the entire amount for the course, the admission was not done. As the case of cheating or

misappropriation is not made out, prayed to release the applicant on bail.

6. The learned Advocate for the applicant has stated that there are five crimes registered against the applicant. The parents have not paid the amount and in one such instance F.I.R. came to be registered and thereafter others have followed said instance and lodged the F.I.Rs. In earlier two crimes the applicant is released on bail.

7. The learned A.P.P. opposed the application stating that total five F.I.Rs. are registered against this applicant. The *modus operandi* is same. The number of persons are duped. The applicant has knowingly cheated the needy persons. Hence, prayed to reject the application.

8. Heard both sides and perused the record.

9. From the record, it appears that the Counseling Centre was run by the applicant, he has also mentioned the amount in the advertisement which he has published. He has received part of the amount which is not denied by this applicant. One F.I.R. came to be lodged and other persons have also followed. The entire amount is not paid and admission was not given is not amounting to misappropriation. Initially, the person who introduced the complainant, his son has got the admission on payment of entire amount.

10. The applicant is ready to deposit the amount whichever transferred by RTGS in his account. The applicant is seeking permission to deposit Rs.10,00,000/- in this Court after his release and seeks time to arrange amount within a period of three months, hence, the case is made out to release the applicant on bail.

11. Hence, application is allowed.

- i) Applicant-Parimal S/o Chandrashekhhar Kotpalliwar be released on bail in Crime No.286/2025 for the offence punishable under Sections 3(5), 318(2) and 318(4) of the Bharatiya Nyaya Sanhita.) of the Bharatiya Nyaya Sanhita, on his furnishing P.R. Bond in the sum of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety in the like amount.
- ii) The applicant shall not in any way tamper with the prosecution evidence.
- iii) The applicant shall not pressurize or threaten the prosecution witnesses.
- v) The applicant shall co-operate the with the Investigating Officer.
- vi) The applicant shall deposit the amount in this Court, which he has received from the complainant within a period of three months and failure to deposit the said amount within a stipulated period, shall cause into cancellation of bail.

(MRS.VRUSHALI V.JOSHI, J.)