



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

CRIMINAL APPLICATION (ABA) NO.143 OF 2025
(Sanjay s/o Anandrao Dhapodkar Vs. The 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. R.P. Joshi, Advocate for the applicant.
Mr. C.A. Lokhande, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- MARCH 4, 2025.

Apprehending the arrest at the hands of police in connection with Crime No.28/2025 registered with Police Station Kapil Nagar, Nagpur, District Nagpur for the offences punishable under Sections 406, 420, 506(2), 504 read with Section 34 of the Indian Penal Code, the applicant approached this Court for grant of pre-arrest bail.

2. The crime is registered on the office of report lodged by Amit Ramdas Chavhan on an allegation that he was intending to purchase a plot for constructing the house and he got acquaintance with Gaurav Kadane. Said Gaurav Kadane took him to one Onkar Bhaurao Anjanikar and thereafter, he got acquaintance with one Shankar Maniram Bagde and thereafter he came into contact with the present applicant. Present applicant has obtained the consideration amount from him and not executed the sale-deed. Subsequently, he came to know that the present

applicant is not the owner of the said property and thus, he is duped. On the basis of the said report, police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that the applicant is ready to settle the dispute with the complainant and he is also ready to deposit some amount for the satisfaction of the Court. As far as the custodial interrogation is concerned, which is not required as nothing is to be recovered from him. In view of that, he requested for grant of ad-interim protection.

4. Learned APP strongly opposed the application and submitted that considering the nature of the offence the custodial interrogation of the applicant is required and prays for rejection of the application.

5. I have heard learned Counsel for both the sides. Perused the recitals of the FIR from which it reveals that the informant and the present applicant entered into an agreement to purchase the plot but said transaction was not completed. Subsequently, the complainant came to know that the applicant is not the owner of the said property. The amount is already paid. Now, the applicant is ready to deposit some amount and also ready to settle the dispute. Considering all these aspects, at this stage, considering the fact that the immediate custodial interrogation of the applicant is not required, the

contention of the learned Counsel for the applicant is acceptable. Accordingly, I proceed to pass following order:

(i) Issue notice to the non-applicant, returnable after three weeks.

(ii) Learned APP waives notice for the State and seeks time to file reply.

(iii) In the event of arrest, the applicant - Sanjay s/o Anandrao Dhapodkar in connection with Crime No.28/2025 registered with Police Station Kapil Nagar, Nagpur, District Nagpur for the offences punishable under Sections 406, 420, 506(2), 504 read with Section 34 of the Indian Penal Code, be released on ad-interim anticipatory bail, on executing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(iv) The applicant 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.

(v) The applicant 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.

(vi) The applicant shall deposit Rs.10.00 lakh within one week before this Court.

6. The matter be referred for the mediation and by consent Mr. S.V. Purohit, Advocate is appointed as a Mediator.

7. The parties to appear before the Mediator on 13/03/2025 at 2.15 PM.

8. Issue notice to the complainant – Amit Ramdas Chavhan to remain present before the Mediator on 13/03/2025 at 2.15 PM.

9. A copy of this order be forwarded to the Mediation Center, High Court Legal Services Sub-Committee, Nagpur, for statistical purpose.

(URMILA JOSHI-PHALKE, J.)

**Divya*