

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

CRIMINAL APPLICATION (ABA) NO. 972 OF 2025

Vijaysingh Ramsingh Chavhan

Vs.

The State of Maharashtra thr. PSO, PS Sitabuldi and another

WITH

CRIMINAL APPLICATION (ABA) NO. 974 OF 2025

Shri Deepak Anna Patil

Vs.

The State of Maharashtra thr. PSO, PS Sitabuldi and another

WITH

CRIMINAL APPLICATION (ABA) NO. 975 OF 2025

Smt. Hemangini Balasaheb Patil

Vs.

The State of Maharashtra thr. PSO, PS Sitabuldi and another

WITH

CRIMINAL APPLICATION (ABA) NO. 976 OF 2025

Laxman Pralhad Khade

Vs.

The State of Maharashtra thr. PSO, PS Sitabuldi and another

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. S.C. Dharmadhikari, Advocate for applicant in ABA No.972/2025, Mr. M.G. Bhangade, Sr. Advocate with Mr. A.R. Deshpande, Advocate with Mr. Kalyan Chiwarkar, Advocate for applicant in ABA Nos.974/25 and 975/2025 and Mr. A.S. Mardikar, Sr. Advocate with Ms Ms Vedika N. Thakare, Advocate in ABA No.976/25.
Mr. D.V. Chauhan, Sr. Advocate/PP a/b Mr. Vinod Thakre, APP for the non-applicant/State.
Mr. Nitesh Ojha, Advocate for complainant through V.C.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 23.12.2025.

Heard.

2. Issue notice to the non-applicants, returnable after four weeks.

3. Mr. Vinod Thakre, learned APP waives service of notice for non-applicant No.1/State.

4. Applicant Vijaysingh Ramsingh Chavhan is the Regional Transport Officer presently posted in Nagpur, Rural. Smt. Hemangini Balasaheb Patil is Regional Transport Officer posted at Thane. Deepak Patil is working as Regional Transport Officer in the office of Transport Commissioner, Mumbai and applicant Laxman Pralhad Khade is retired person from the post of Joint Transport Commissioner.

5. Smt. Hemangini Patil and Deepak Patil are the persons who are the members of the Sexual Harassment Committee under the Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act, 2013. All these applicants are apprehended of their arrest in Crime Nos.982/2025 for the offence punishable under Sections 409, 109, 120-B, 166, 167 and 500 of the Indian Penal Code, 1860 (for short, 'IPC').

6. The complainant- Ravindra Shaligramji Bhuyar, who is a Deputy R.T.O., has lodged the complaint against all these applicants making allegations that they conspired against him and to defame him as well as to humiliate and deprive him from promotion. By conspiring with one Geeta Sejbal lodged the complaint against the complainant about sexual harassment. On the said complaint, the Committee was formed and thereafter this complaint has been lodged by the complainant against these applicants and the offences are registered against them.

7. The allegations are made that there is racket in the R.T.O. Office, they took money for transfers and the offence is registered against these applicants.

8. Mr. M.G. Bhangade, learned Senior Advocate has stated that all these offences, except offence punishable under Section 409 of the IPC are bailable offences. There are no allegations about any entrustment or misappropriation. From the allegations of FIR the offence under Section 409 of the IPC will not be made out. The alleged incident took place from 31.08.2022 to 13.07.2023 and FIR is lodged on 13.11.2025. This is a service dispute. No offence under Section 409 of IPC will be made out against the applicants hence prayed to protect them by granting ad interim anticipatory bail.

9. Mr. A.S. Mardikar, learned Senior Advocate has argued for applicant Laxman, who retired in the year 2013, he was not present even during the period of alleged incident. The offence under Section 409 will not be attracted against this applicant.

10. Mr. Dharmadhikar, learned counsel appearing for Vijaysingh Chavhan has also argued that there are allegations about service dispute. Litigation is pending before the Civil Court and he withdrew the suit and has filed application before the Tribunal. No offence under Section 409 of the IPC is committed by the applicant. No case is made out against this applicant. Hence prayed to protect him by granting ad interim anticipatory bail. The applicant has filed application before the division bench of this Court for quashing of FIR. Notices are issued in said proceedings.

11. Mr. Nitesh Ojha, Advocate for complainant has appeared through VC and has opposed the application stating that in Application No.972/2025 the application for quashing of FIR is filed before the Division Bench and Division Bench has refused to grant interim relief not to take any coercive action and therefore requested not to grant any relief as the Division Bench has not granted relief to this applicant.

12. Learned APP for the State has opposed the applications stating that the allegations are made about

misappropriation of the government property. Though the specific allegations about misappropriation are not made as the crime under Section 409 of the IPC is registered, their custodial interrogation is necessary, hence prayed to reject the application.

13. Heard learned Senior Advocates and learned counsel for the applicants.

14. On perusal of record, it appears that except offence under Section 409 of the IPC all the offences are bailable offences. As per definition of Section 409 of IPC, there must be entrustment of property. It is about criminal breach of trust. There are no such allegations which attract the offences under Sections 409 or 405 of the IPC of criminal breach of trust.

15. Considering the allegations made against these applicants, the case is made out to protect the applicants by granting ad interim anticipatory bail.

16. It is directed that in the event of arrest of the applicants namely Vijaysingh Ramsingh Chavhan, Smt. Hemangini Balasaheb Patil, Deepak Anna Patil and Laxman Pralhad Khade respectively in connection with Crime No.982/2025 for the offences punishable under Sections 409, 109, 120-B, 166, 167 and 500 of the IPC, the applicants shall be released on bail on furnishing P.R.

Bond in the sum of Rupees Twenty Five Thousand Only each with one surety in the like amount.

- i] The applicants shall not in any way tamper with the prosecution evidence.
- ii] The applicants shall not pressurize or threaten the prosecution witnesses.
- iii] The applicants shall attend the concerned police station as and when called.
- vi] The applicants shall co-operate the Investigating Officer.

15. This protection shall remain in force till next date of hearing.

(MRS VRUSHALI V. JOSHI, J.)

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