



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO. 1727 OF 2024

SANJAY BHAGWANSINGH CHAVAN

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

WITH

ANTICIPATORY BAIL APPLICATION NO. 1785 OF 2024

SHANKAR PANDURANG DETHE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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ANTICIPATORY BAIL APPLICATION NO. 1854 OF 2024

SANDIP @ DEEPAK SAKHARAM SONUNE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant in ABA-1727/2024 : Mr. Sohail Subhedar h/f
Mr. Ghanekar Nilesh S.

Advocate for Applicant in ABA-1785/2024 : Mr. N. J. Sonune

Advocate for Applicant in ABA-1854/2024 : Mr. P. P. Giri

APP for Respondents/State : Mr. N.S. Tekale

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CORAM : MEHROZ K. PATHAN, J.

DATE : 2nd FEBRUARY 2026

PER COURT :

1. Heard the learned Counsels for the Applicants and the learned APP for the State.

2. The Applicants have approached this Court, seeking anticipatory bail in connection with Crime No.844/2024 registered with MIDC Waluj Police Station, District Aurangabad for the offences punishable under Sections 406, 409, 420 read with Section 34 of the Indian Penal Code.

3. The learned Counsel Mr. Subhedar, for the Applicant in ABA No.1727/2024 submits that this Court vide order dated 11.10.2024 has protected the Applicant/Sanjay Chavan vide interim order with a further direction to attend the police station once in a week. The Applicant has attended the police station and cooperated with the investigation. The entire investigation as against the Applicant has already been completed, hence the custodial interrogation of the Applicant is not necessary. The Applicant is a resident of Aurangabad and has deep roots in society. There is no likelihood that the Applicant will flee from the ends of justice or be unavailable for trial. The Applicant does not have any criminal antecedents and is ready to abide by any conditions that may be imposed by this Court. This Court may, therefore, continue and confirm the order dated 11.10.2024 and release him on anticipatory bail.

4. The learned Counsel Mr. Giri, for the Applicant in ABA No.1854/2024 submits that this Court, vide order dated 25.10.2024, has protected the Applicant/Sandip @ Deepak Sonune, who has complied with the conditions by attending before the Investigating Officer and cooperating with the investigation. The Applicants are

alleged to have induced the complainant and other investors. The investigation as regards the Applicant is almost complete and the further custodial interrogation of the Applicant is not necessary. The Applicant is ready to abide by any conditions that may be imposed by this Court and also ready to further attend the Investigating Officer if so required as and when required by the Investigating Officer till the completion of charge-sheet. This Court may, therefore, continue and confirm the order dated 25.10.2024 by granting the anticipatory bail to the Applicant.

5. The learned Counsel Mr. Sonune, for the Applicant in ABA No.1785/2024 submits that this Court vide order dated 21.10.2024 has protected the Applicant/Shankar Dethe by granting interim protection. Though there was no condition to attend the Investigating Officer, however as and when the Investigating Officer has directed the Applicant, the Applicant has cooperated with the investigation and is further ready to abide by any conditions that may be imposed by this Court. He therefore, prays that the interim order dated 21.10.2024 may be confirmed by allowing the anticipatory bail application.

6. As against this, the learned APP Mr. Tekale strongly opposes the present application on the ground that not only the Informant but also other investors have invested huge amounts on the inducement of the present Applicants. The Applicants conducted seminars and assured huge returns in lieu of the investments to be made. Even the

bank statements of the Applicants corroborate the allegations in the FIR as well as the statements of certain witnesses who are investors. Though the Applicants have attended the Investigating Officer, the Applicants have failed to cooperate with the investigation. The Applicants have purchased several properties which appear to have been acquired out of the proceeds of the crime. Accordingly, the prosecution has prepared a proposal for attachment of the properties under the Maharashtra Protection of Investors and Depositors Act, and such proposal is likely to be forwarded to the Government for issuance of a notification under Section 4 of the MPID Act. There is an apprehension that if the Applicants are released on anticipatory bail, they may dispose of the properties which have now been assessed by the Investigating Officer. Hence the Applicants may not be released on anticipatory bail.

7. I have gone through the allegations as made in the FIR as well as the interim orders dated 11.10.2024, 21.10.2024 and 25.10.2024 passed by this Court. The investigation papers show that the investigation as against the Applicants is almost complete. The Applicants though accused of not attending before the Investigating Officer on certain dates, have produced counter records through their Counsel showing that they did attend the Investigating Officer as and when called. Be that as it may, taking into consideration the status of the investigation, the investigation as against the Applicants appears to be almost complete and the Investigating Officer is in the process of submitting a proposal to the Government under the MPID Act for

attachment of properties of the Applicants. Therefore, the apprehension of the learned APP that the Applicants may dispose of properties alleged to have been purchased out of the proceeds of the crime can be taken care of by imposing stringent conditions upon the Applicants. Thus I am inclined to protect the Applicants in exercise of powers under Section 482 of BNS. Hence the following order :

ORDER

- (i) The applications are allowed.
- (ii) The interim orders dated 11.10.2024 in ABA No.1227/2024; 21.10.2024 in ABA No.1785/2024 and 25.10.2024 in ABA No.1854/2024 are hereby confirmed.
- (iii) The Applicants - Sanjay Bhagwansingh Chavan in ABA No.1227/2024; Shankar Pandurang Dethe in ABA No.1785/2024 and Sandip @ Deepak Sakharam Sonune in ABA No.1854/2024, are directed to attend the MIDC Waluj Police Station, District Aurangabad on 6th 7th 12th 13th 17th and 18th of February, 2026 and thereafter as and when called by the Investigating Officer till filing of the charge-sheet as against the Applicants.
- (iv) The Applicants are directed not to tamper with the evidence or to deal with the properties so assessed by the Investigating Officer, as the prosecution is in the process of seeking appropriate orders for issuance of notification.
- (v) The Applicants shall attend the trial on each and every date unless so exempted by the trial on emergency conditions.
- (vi) The Applicants shall submit their Aadhar and PAN Cards to the Investigating Officer and detailed addresses and phone numbers of themselves and two of the near relatives.

(vii) A single violation of the aforesaid conditions, would entitle the prosecution to seek cancellation of bail of the present Applicants on that ground.

(viii) With the aforesaid directions, the applications are disposed of.

MEHROZ K. PATHAN
JUDGE

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