



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 915 OF 2025

Sandip Dilip Yadav
VERSUS
The State Of Maharashtra

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- Mr. Jadhav N. L., Advocate for Applicant
- Ms. P. J. Bharad, APP for Respondent - State

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WITH
CRIMINAL APPLICATION NO. 2697 OF 2025
IN ABA/915/2025

Anil Zabbu Rathod
VERSUS
Sandip Dilip Yadav And Another

...

- Kande Vishnu Shriram, Advocate for Applicant

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CORAM : MEHROZ K. PATHAN, J.

DATED : 05.01.2026

PER COURT :

1. Heard learned counsel for the applicant and the learned APP for the respondent-State, as also learned counsel for the assisting counsel to the Public Prosecutor.
2. The applicant has approached this Court apprehending arrest in connection with FIR No. 0184 of 2025, dated 15.03.2025, registered with Sangamner City Police Station, District Ahilyanagar, for the offences punishable under Section 119(1) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. This Court, vide order dated 03.06.2025, granted interim relief to the applicant by protecting him from arrest, with a direction to attend the police station as and when required and to cooperate with the investigation. The learned APP submits that although the applicant has attended the police station, he has failed to cooperate with the investigation inasmuch as he has not handed over the tractor allegedly taken away by him, as stated in the FIR.

4. Learned counsel for the applicant submits that the FIR is nothing but a false implication to counter an earlier FIR registered by the applicant against the real brother of the complainant, bearing FIR No. 560 of 2022 dated 13.08.2022, for the offences punishable under Sections 406 and 420 of the Indian Penal Code, in which charge-sheet has already been filed against the said accused.

5. It is further submitted that there is a gross delay in lodging the FIR. The incident is alleged to have taken place on 26.02.2025, whereas the FIR came to be registered on 15.03.2025, i.e. after about 18 days, which creates serious doubt regarding the veracity of the allegations. It is submitted that the dispute arises out of a prior transaction relating to supply of labourers for sugarcane cutting, in which the applicant's brother failed to comply with the terms of the agreement.

6. Learned counsel for the applicant further submits that the applicant is not in possession of the tractor allegedly stated to have been taken away, and in fact, the complainant is not even the owner of the said tractor. The applicant has been falsely implicated only to counter the earlier FIR.

7. This Court, while granting interim relief on 03.06.2025, had already considered the allegations in detail and also considered that the delay of 18 days in lodging the FIR creates a reasonable doubt about the correctness of the allegations. The learned APP fairly submits that the applicant has attended the police station as and when required.

8. The learned APP opposes the application on the ground of non-cooperation. However, the injury certificate relied upon by the prosecution is dated 02.06.2025, i.e. after about four months of the alleged incident. In view of the aforesaid facts and circumstances, I am inclined to protect the applicant as the further investigation can proceed even without custodial interrogation, as the applicant is not a flight risk and has no criminal antecedents.

9. Hence, I am inclined to protect the applicant hence the following order :-

ORDER

A) The Anticipatory Bail Application is allowed.

- B) The interim order dated 03.06.2025 is hereby confirmed on the same terms and conditions.
- C) The Applicant shall also cooperate with the investigation till filing of the charge-sheet and remain present as and when required by the Investigating Officer.
- D) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- E) The applicant shall furnish copies of his Aadhaar Card and PAN Card to the Investigating Officer along with the addresses and mobile numbers of two nearest relatives.

10. Needless to say, violation of any of the aforesaid conditions may entitle the prosecution to seek cancellation of the anticipatory bail granted herein above.

11. In view of the above, the application stands disposed of.

12. Pending applications, if any, also stand disposed of.

(MEHROZ K. PATHAN, J.)