



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

BAIL APPLICATION NO. 705 OF 2026

- 1] Subhash Bhavrao Maske
Age – 62 years, Occu. : - Agriculture,
R/o. Tandulwadi, Tq. Gangapur, Dist. Aurangabad
- 2] Amol Subhash Maske,
Age : 35 years, Occu. : - Agriculture,
R/o. Tandulwadi, Tq. Gangpura, Dist. Aurangabad ... Applicants

VERSUS

- 1] The State of Maharashtra,
Through Officer In Charge,
Police Station Gangapur,
Dist. Aurangabad
- 2] The Superintendent of Police,
Aurangabad, Dist. Aurangabad ... Respondents

AND

**CRIMINAL APPLICATION NO. 1663 OF 2026 IN BA/705/2026
(Krishna S/o Shivajirao Thombre Vs. Subhash Bhaurao Mhaske and others)**

...

Advocate for Applicants : Mr. Sudarshan J. Salunke (Through V.C.)
A.P.P. for Respondent/State : Mr. C.V. Bhadane
Advocate for complainant : Mr. C.R. Thorat and Mr. O.D. Totawad

CORAM : SHAILESH P. BRAHME, J.

DATE : 30.04.2026

PER COURT :

Heard both sides.

2. Criminal Application No. 1663 of 2026, seeking to assist the PP, is allowed.
3. The applicants are seeking enlargement on bail in connection with Crime No.472 of 2025, registered with Gangapur Police Station, Dist. Chhatrapati Sambhajinagar for the offences punishable under Section 420, 406, 34 of the Indian Penal Code.

4. It is reported to the Police by the informant that he is the purchaser of the two shops of applicant no. 1. The distinct sale deeds were executed in his favour. It was all the while represented that the shops are saleable and without there being any encumbrances.

5. After completion of the transaction, it revealed to the informant that those were mortgaged with ICICI bank and bank had taken action for auctioning the shops. It is reported that auction also took place. The applicants are alleged to have received in all 31,00,000/- towards the sale proceeds. Outstanding of the bank were to the tune of Rs.45,99,051/-.

6. After hearing for some time, this Court called upon the learned counsel appearing for the applicants as well as informant to settle the dispute. The matter was kept back.

7. After taking instructions, both the lawyers agreed for the settlement. They are unanimous that applicants have agreed to refund amount of Rs.16,50,000/- by the next date. Out of that amount, Rs. 8,00,000/- shall be paid by the applicants to the informant within two weeks from today. For the rest of the amount, they are ready for the negotiations and the settlement. The applicants are also ready to furnish the undertaking regarding settlement of the dispute.

8. In view of the peculiar circumstances of the case, there is every possibility of settling the dispute, I am of the considered view that applicants are entitled to be released on bail.

9. However, at this juncture, the negotiations are incomplete and those will be concluded after the release of the applicants on bail. Hence, I propose to grant temporary bail to the applicants.

10. I, therefore, pass the following order :-

I] Both the applicants shall be released on temporary bail in connection with Crime No.472 of 2025, registered with Gangapur Police Station, Dist. Chhatrapati Sambhajnagar for the offences punishable under Section 420, 406, 34 of the Indian Penal Code, on following conditions:

- (a) The applicants shall furnish P.R. bonds of Rs.30,000/- (Rs. Thirty Thousand only) each with one solvent surety each of like amount.
- (b) The applicants furnish undertaking as observed above within a period of two weeks from today.
- (c) The applicants have voluntarily shown readiness to pay Rs.16,50,000/- to the informant by transferring the amount to his account.
- (d) The applicants are ready to pay first installment of Rs.8,00,000/- to the informant within a period of two weeks from today. The balance amount and further settlement shall be undertaken between the parties.
- (e) The applicants shall not tamper with prosecution evidence or contact with the prosecution witnesses save and except the settlement of the dispute.
- (r) The applicants shall furnish their mobile/cell numbers and addresses to the investigating officer.
- (g) The applicants shall surrender their Adhaar / PAN Cards, if any, to the Investigating Officer.

11. Place this matter for further consideration on **15 June 2026**.

12. The amount shall be transferred to the account details furnished by the informant.

(SHAILESH P. BRAHME, J.)

arp/-