VAIBHAV RAMESH JADHAV
Digitally signed by VAIBHAV RAMESH JADHAV
Date: 2026.10.13 10:07:06 +0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 2827 OF 2023

Mahamad Mahibub Kureshi … Applicant
Versus.
The State of Maharashtra … Respondent

Mr. Mahindra Deshmukh (through V.C.) for the Applicant.

Dr. A. A. Takalkar, APP for the State.

Mr. R. G, Patil, Investigating Officer, Kundal Police Station, Sangli is present.

CORAM : ASHWIN D. BHOBE, J.

DATED : OCTOBER 12, 2026

P.C.:

1. Heard, Mr. Mahendra Deshmukh, learned Advocate for the Applicant and Dr. A. A. Takalkar, learned APP for the State.

2. On 10th October 2023, the following order was passed:

> "1) Heard the learned counsel for the applicant and the learned APP for the State.
>
> 2) This is an application for pre-arrest bail in connection with C.R. No. 89 of 2023, registered with Kundal police station, Sangli, for an offence punishable under Section 420 read with Section 34 of Indian Penal Code, 1860 ("the Penal Code").
>
> 3) The indictment against the applicant is that the applicant had introduced the first informant to Basappa Mali, accused No. 2, who, in turn, introduced the first informant to Rohan More, accused No. 1, who induced him to part with an amount of Rs.37.31,000/- by making false representation that he would procure wine shop

license.

4) The learned APP seeks time to take instructions as the Investigating Officer is not present.

5) I have perused the allegations in the FIR. Prima facie, the allegations of making the false representation and inducing the first informant to part with money appear to be against the co- accused No. 1 - Rohan More. It does not appear that any amount has been credited to the account of the applicant. Nonetheless, investigation is warranted to ascertain as to whether the applicant was a privy to the crime or is a beneficiary of the alleged fraud.

6) I am, therefore, inclined to protect the liberty of the applicant while directing him to join in the investigation. If the investigation reveals the complicity of the applicant, the said factor can be considered while finally adjudicating the prayer for pre-arrest bail.

ORDER

7) Hence, the following order:-

I) In the event of arrest of the applicant in connection with C.R. No. 89 of 2023, registered with Kundal police station, Sangli, for an offence punishable under Section 420 read with Section 34 of Indian Penal Code, 1860. the applicant be released on bail on executing a PR Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

II) The applicant shall co-operate with the investigation and attend Kundal police station, Sangli, on 17th, 18th and 19th October, 2023 in between 10.00 am to 1.00 pm and, thereafter, as and when directed by Investigating Officer.

III) The applicant shall not tamper with the prosecution evidencé and/or give threat or inducement to the first informant and any of the persons acquainted with the facts of the case.

IV) Stand over to 7th November, 2023."

3. Mr. Mahendra Deshmukh, learned Advocate for the Applicant, states that the Applicant has cooperated with the investigation in Crime No. 89 of 2023 and has appeared before the Investigating Officer as and when required.

4. Dr. A. A. Takalkar, learned APP for the State, on instructions, submits that the Applicant has appeared before the Investigating Officer and has

cooperated with the investigation in Crime No. 89 of 2023. She further submits that the investigation is complete, the charge-sheet has been filed before the Court of the Judicial Magistrate First Class, Palus and it is registered as RCC No. 22 of 2023.

5. Mr. Mahendra Deshmukh, learned Advocate for the Applicant, states that the Applicant has been summoned in RCC No. 22 of 2023 and is appearing before the Judicial Magistrate First Class, Palus, in those proceedings.

6. Considering the statements made by Mr. Mahendra Deshmukh, learned Advocate for the Applicant and Dr. A. A. Takalkar, learned APP for the State, the fact that the investigation in Crime No. 89 of 2023 is complete and the proceedings are now pending before the Judicial Magistrate First Class, Palus and that the Applicant has been on interim bail since 10th October 2023, with no allegations of violation of any of the bail conditions, this Application is allowed by confirming the order dated 10th October 2023 and making it absolute in terms of paragraph Nos. 7(i) and 7(iii) thereof.

7. Criminal Anticipatory Bail Application No. 2827 of 2023 is disposed of.

(ASHWIN D. BHOBE, J.)