

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.2375 OF 2025**

Digambar Ramchandra ChoughuleApplicant

Vs.

The State of MaharashtraRespondent

Mr. Sandeep Pasbola, for Applicant (through VC).

Mr. Nitin B. Patil, APP for Respondent-State.

Mr. R. S. Rananvare, Akluj Police Station, Solapur rural.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : 2nd FEBRUARY 2026

PC.:-

1. The present Bail Application is filed by the Applicant/Original Accused No. 1 seeking regular bail in connection with offences of cheating and forgery. The Applicant has been arrested in Crime No. 12 of 2025 registered with Akluj Police Station, Solapur, for the offences punishable under Sections 318(4), 316(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The First Informant came to know that the Applicant undertakes tenders for fitting solar panels and electric poles and was in search of a business partner. Co-accused No. 2, Abhijeet Deshmukh, took the complainant to the factory of the Applicant

situated at Taluka Shindewadi, District Bhore, to obtain additional information regarding the said work. At the factory, the Applicant allegedly provided information about the mode of functioning of the factory. After the complainant returned to Akulj, the Applicant called him on the phone and requested him to meet.

3. In July 2023, the Applicant and Co-accused No. 2 visited the complainant at his office at Akulj and offered him a business partnership. They allegedly informed the complainant that tenders would be invited by the Chhattisgarh State Government for fixing solar panels and electric poles. It was represented that the accused persons had political connections in Chhattisgarh and, therefore, it would be easy for them to secure the tenders and earn huge profits. However, they stated that due to financial difficulties, they would not be able to make the required investment to complete the said tender work.

4. The complainant was not having much information about the said line of work and, therefore, took time to consider the proposal. At that stage, the accused persons showed him photographs and brochures of the work allegedly already completed by them. It was

represented that the said tender would be obtained in the name of Trimurti Power Management. Further, it was stated that the first tender was for erecting approximately 800 solar light poles. They assured that there would be a profit of Rs.13,000/- per pole, and the said profit would be distributed between the complainant, Mr. Prashant Thakur, and both the accused persons in the ratio of 50:50.

5. It was further represented that the tender work would be completed and payment would be received within three months, and in case of any delay, the accused persons agreed to pay interest on the invested amount. On the basis of these representations, the accused persons gained the trust of the complainant.

6. It is alleged that the complainant thereafter invested an amount of Rs.95 lakhs. However, after receiving the said amount, the Applicant and Co-accused allegedly started avoiding the complainant and stopped responding to his phone calls. Consequently, the complainant lodged the present complaint.

5. The learned counsel for the Applicant submits that the contract was awarded by the Gram Panchayat; however, due to a change in

the Government, MODAK agencies were appointed. It is contended that the transaction was in the nature of a joint venture and that the Applicant has not deceived the complainant. It is further submitted that although an amount of Rs.95 lakhs was received as part of the proposed joint venture, it is incorrectly alleged that the Applicant failed to enter into a joint venture agreement.

6. It is submitted that due to a change in Government policy and the appointment of Nodal Officers, the scheme was not implemented as earlier contemplated, resulting in financial loss. Although allegations of forgery have been made, particularly with regard to forging Gram Panchayat stamps, it is submitted that despite the police having addressed 25 letters to the concerned Gram Panchayat, only one response has been received.

7. It is further submitted that equipment worth approximately Rs.45 lakhs has already been seized by the police during the course of investigation. The Applicant has placed on record a compilation demonstrating that he has successfully executed similar orders in the State of Chhattisgarh. There are no criminal antecedents against the Applicant.

8. It is also pointed out that the other co-accused, though available, has not been arrested by the police, as he is a relative of the First Informant. The Applicant has been in judicial custody for the last one year. In these circumstances, the Applicant prays that he be enlarged on bail.

6. Mr. Nitin B. Patil, learned APP, opposed the application, contending that the Applicant has committed fraud by obtaining a huge amount from the complainant on the basis of false assurances. It is submitted that the Applicant used fabricated Gram Panchayat stamps and created bogus orders, thereby committing the alleged offenses. It is further submitted that the co-accused is absconding. Hence, he prayed for rejection of the Application.

7. Heard both the counsel.

8. It appears that the case arises out of a partnership in the nature of a joint venture, and the Applicant had entered into such a partnership with the First Informant. The seizure of equipment worth approximately Rs.45 lakhs during the course of investigation indicates that some scheme or work was contemplated. One Gram

Panchayat has stated that no order for fixing solar lights was issued; however, the other Gram Panchayats have not responded.

9. Considering the nature of the transaction between the complainant and the Applicant, further custodial interrogation of the Applicant is not required. Hence, the following order :-

ORDER

- (i) The application is allowed.
- ii) The Applicant, namely, **Digambar Ramchandra Choughule** shall furnish personal bond of Rs.25,000/- with his recent self-attested photograph and surety of the like amount on the following conditions at the satisfaction of the investigating officer;
- iii) The Applicant shall attend the concerned Police Station twice in a week on Thursday and Friday in between at 11.00 a.m. to 12.00 p.m.
- iv) The Applicant shall cooperate with the investigation and make himself available for interrogation whenever required;
- v) The Applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade

him from disclosing such facts to the court or to any Police Officer;

vi) The applicant shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police;

vii) The applicant shall not leave the territory of Pune, without prior permission of the court, till trial is over;

viii) The applicant shall maintain law and order;

ix) The applicant shall, at the time of execution of the bond, furnish his residential address and contact number to the Investigating Officer, and the Court concerned, and shall not change the residence till the final disposal of the case;

x) The applicant shall regularly remain present during the trial, and cooperate with the Hon'ble Court to complete the trial for the above offenses.

(MRS. VRUSHALI V. JOSHI, J.)