

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

ANTICIPATORY BAIL APPLICATION NO. 64 OF 2025

Prasad Parashram Sonake

...Applicant

Versus

1. The State of Maharashtra

2. Sanjay Salu Cristo

...Respondents

Mr. Atharva R.B. i/by Mr. Sumit Patil, Advocate for Applicant.

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

Mr. M.K. Ingale, (P.I.), (EOW), Kolhapur, present.

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 5th JANUARY 2026.

P.C.

1. By this application filed under Section 438 of the Code of Criminal Procedure, applicant apprehends arrest in Crime No.1218 of 2023 registered with Shahupuri Police Station, District: Kolhapur for the offences punishable under Sections 406, 420 read with Section 34 of the Indian Penal Code (IPC) and Sections 3, 4 & 6 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999 (MPID).

2. It is alleged in the First Information Report (FIR) that at the instance of applicant, the informant invested an amount of Rs.11,00,000/- by NEFT and cash amount of Rs.16,00,000/- in Forex Wealth Solution LLP Company, during the period between

24/05/2022 to 31/01/2023. Thereafter, on 01/09/2023, the informant invested an amount of Rs.21,00,000/- by RTGS and deposited cash amount of Rs.3,00,000/-. The applicant has collected total amount of Rs.1,10,10,000/- and the applicant/accused failed to return the said amount.

3. It is the case of applicant that the FIR in question is the second FIR lodged by the informant. The informant has lodged FIR in Crime No.184 of 2023 registered with Haliyal Police Station, Haliyal Circle, Uttara Kannada for the offences punishable under Sections 406, 418 & 420 of IPC making the identical allegations. In that case, the Sessions Court has granted anticipatory bail to the applicant on 14th December 2023 vide Exhibit-C. It is further case of applicant that his liability was only to the extent of Rs.10,00,000/-, out of that he has paid an amount of Rs.4,75,000/- to the first informant and deposited Rs.5,25,000/- in this Court.

4. It appears from the record that on the basis of same allegations, Crime No.184 of 2023 registered with Haliyal Police Station, in which the applicant is protected by the Sessions Court. In the present FIR, same allegations are levelled. Therefore, this appears to be second FIR. The dispute between applicant and informant *prima facie* appears to be of civil nature. According to applicant, he has paid cash amount of Rs.4,75,000/- to the informant and he has also

deposited Rs.5,25,000/- in this Court. In these peculiar facts, custodial interrogation of the applicant is not warranted. Hence, application is allowed.

5. In the event of arrest of applicant - Prasad Parashram Sonake in Crime No.1218 of 2023 registered with Shahupuri Police Station, District: Kolhapur for the offences punishable under Sections 406, 420 read with Section 34 of IPC and Sections 3, 4 & 6 of the MPID Act, 1999, he be released on bail on executing P.R.Bond in the sum of Rs.15,000/- with one surety in the like amount.

6. The Applicant shall attend the concerned police station as and when required.

7. The Applicant shall not tamper with the prosecution evidence.

(NITIN B. SURYAWANSHI, J.)