

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

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 96 OF 2026

Maruti Rajaram Gavali

...Applicant

Versus

Police Inspector, Police Station,
Vishrambag, And Ors.

...Respondents

.....

*Adv. Shama Mulla a/w Adv. Preetam Raje and Adv. Rajaram Yamgare,
for Applicant.*

Mr. N. B. Patil, APP for the Respondents-State.

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CORAM : SACHIN S. DESHMUKH, J.

DATE : 5th MARCH, 2026.

P.C:

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 30/09/2025 bearing Crime No. 345 of 2025 registered with Vishrambag Police Station, Sangli for the offence punishable under Sections 318(4), 316(2), 336(3), 338, 340(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023.
2. Prosecution case in short is that, accused obtained loan from Wai Urban Co-operative Bank, Br. Vishrambag, Sangli in the year 2020. In the process accused have mortgage two properties i.e. Gat No.240/2 and Gat No.394, both situated at village Chinchani, Tal. Tasgaon, Dist.

Sangli. The accused have indicated different properties to bank official than the actual properties. The present accused is one of the guarantor of said loan transaction. The bank obtained certificate under Section 101 of the Maharashtra Co-operative Societies Act. On 21/02/2022, when the bank officers visited site to take possession of above said properties under the Securitisation Act and at that time they came to know above said fact that different properties were indicated while availing loan than the actual properties. Then Branch Manager Rohit Jamkhindikar lodged FIR on 30/09/2025 and above said crime came to be registered.

3. The learned counsel for the applicant submits that applicant's arrest was effected on 03/11/2025. It is further submitted that investigation is complete and Charge-sheet is filed. The learned counsel for the applicant submits that the applicant is not the beneficiary of the the loan amount in respect of which the report is lodged. As such, further incarceration of the applicant is unjustified. Hence, prayed to allow the application.

4. Per contra, learned APP for the respondent-State has opposed the application, submitting that the applicant is a member of the society in respect of which the loan was availed. It is further submitted that the applicant was present on the spot when the bank officials visited the site or the property which was mortgaged while availing the loan. As

such, applicant's involvement is rather apparent and the same disentitles the applicant to release on bail. Hence, prayed to reject the application.

5. Upon considering the rival submissions and on perusal of the material on record including the Charge-sheet, it appears that the loan amount availed by the accused Nos.1 and 2, is credited to their account and prima facie it appears that in any manner the present applicant is not beneficiary of the said loan amount. In any case, the prosecution case is based on documentary evidence those are already recovered from the accused persons, as such nothing further remains to be recovered.

6. Nonetheless, the investigation is complete for all intent and purpose. Resultantly the charge-sheet is filed. Having regard to the number of witnesses which the prosecution proposes to examine, it is unlikely that trial will commence and conclude within a reasonable period.

7. In view of aforesaid circumstances, the further detention of the applicant as an under trial prisoner does not seem to be either warranted or justified. I am, therefore, persuaded to exercise discretion in favour of the present applicant. In that view of the matter, the application is allowed on stringent conditions.

8. Hence, the following order :-

ORDER

- (I) Application is **allowed**.
- (II) Applicant – Maruti Rajaram Gavali be released on regular bail on furnishing P.R. bond of Rs. 50,000/- (Fifty Thousand Only) with one or two local solvent sureties in the like amount, in connection with Crime No. 345 of 2025 registered with Vishrambag Police Station, Sangli for the offence punishable under Sections 318(4), 316(2), 336(3), 338, 340(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023, on the following conditions :-
- (a) The applicant shall attend each and every date of the Trial Court unless exempted by the Trial Court.
- (b) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- (c) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed address and phone number of applicant and two of the near relatives.

9. Needless to state that the observations rendered herein are to the extent of this application and the trial Court shall not be influenced by the same.

[SACHIN S. DESHMUKH, J.]