Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 858 OF 2026

Sanjay Shyamsunder Dube .. Applicant

Versus

State of Maharashtra .. Respondent

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- Mr. Noor Alam Khan a/w Ms. Khushnuma Malik & Mr. Gorakh Nath Mourya, Advocates for Applicant
- Ms. Rajeshree V. Newton, APP for State

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 7, 2026

P. C.:

1. Heard Mr. Khan, learned Advocate for Applicant and Ms. Newton, learned APP for State.

2. This is an Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking Bail in connection with C.R. No. 68 of 2025 registered with Kalamboli Police Station, Navi Mumbai for the offences punishable under Sections 316(5) of Bharatiya Nyaya Sanhita, 2023 (for short "**BNS**").

3. Applicant is arrested in a case of cheating and fraud committed pursuant to the FIR lodged on 26.03.2025 by the Complainant. Record *prima facie* shows that Applicant and Complainant were having a business relationship whereby the Complainant who is the proprietor of a Steel Company in Mumbai used to regularly keep his

steel goods in the Applicant's warehouse at Kalamboli for storage and distribution purposes.

4. The complaint was lodged as the Applicant was unable to recover 2,990 Kgs. of his steel goods which were placed in the custody of Applicant's warehouse. The complaint is on the premise that the Applicant refused to return the said goods on the ground that he had sold it to a third party. That is the position which emerges from a plain reading and examination of the contents of the FIR. However, Mr. Khan has been able to establish the fact that as per Japti Panchnama dated 10.04.2025, appended at page Nos. 342-343 of Application, on further investigation in another adjacent godown belonging to the Applicant, steel goods worth Rs. 45.39 Lakhs in five different denominations were seized which belonged to Complainant. The prosecution case is that by 10.10.2025, the entire amount of the steel material worth Rs. 2.15 Crores has been recovered and in addition thereto further goods belonging to the Applicant worth Rs. 2.33 crores have also been seized and attached by the prosecution. In that view of the matter, further custody of the Applicant is not required. Hence, I am inclined to allow the present Application. In view thereof, Applicant is released on bail on the following terms and conditions:-

(i) Applicant is directed to be immediately released on bail from prison in connection with C.R. No. 68 of 2025;

(ii) Applicant is directed to be released on bail on furnishing P.R. Bond of Rs. 25,000/- (Rs. Twenty Five only) with one or two sureties in the like amount;

(iii) Applicant shall report to the Investigating Officer at Kalamboli Police Station, once every month on the first Sunday of the month between 10:00 a.m. to 12:00 p.m.;

(iv) Applicant shall co-operate with the conduct of trial and attend the Trial Court on all dates, unless specifically exempted and will not take any unnecessary adjournments, if he does so it will entitle the prosecution to apply for revocation of this order;

(v) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court;

(vi) Applicant shall not influence any of the witnesses or tamper with the evidence in any manner;

(vii) Applicant shall keep the Investigating Officer informed of his current address and mobile contact number and / or change of residence or mobile details, if any, from time to time, as applicable; and

(viii) Any infraction of the conditions shall entail cancellation of bail granted to the Applicant.

5. Needless to state that the above observations will not come in the way of trial as they are *prima facie* in nature based on the submissions made and the material placed before this Court.

6. Bail Application is allowed and disposed of in the above terms.

[MILIND N. JADHAV, J.]

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RAVINDRA MOHAN AMBERKAR

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Date: 2026.10.07 15:39:36 +0530