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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3190 OF 2026

Somnath Narayan Kadam .. Applicant

Versus

State of Maharashtra .. Respondent

.....

- Dr. Uday P. Warunjikar a/w Ms. Sonali R. Chavan & Ms. Aishwarya R. Tuwar, Advocates for Applicant
- Mr. Sukanta A. Karmakar, APP for State
- Mr. Sameer Dabhade, ASI, EOW Pimpri Chinchwad

.....

CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 17, 2026

P. C.:

1. Heard Dr. Warunjikar, learned Advocate for Applicant; Mr. Karmakar, learned APP for State and Mr. Dabhade, learned APP for State.

2. By this Bail Application, Applicant - accused is seeking enlargement on bail in C.R. No. 564/2025 registered with Bhosari M.I.D.C. Police Station, Pimpari-Chinchwad, Pune for the offences punishable under Sections 316(2), 318(4), 336(2), 336(3), 337, 338, 339, 340 (2) & 61(2) of the Bharatiya Nyaya Sanhita, 2023.

3. On 12.08.2026 after hearing learned Advocates appearing for the parties, following order was passed:-

> "*1. The learned prosecution is directed to take appropriate instructions to apprise the Court as to whether the Applicant in the present bail application is beneficiary of any of the amount. The case of the Applicant is that he himself is the victim of the issue which led the complainant into investment, and he has been notarized the Memorandum of Understanding (MoU) without verification of the documents, is what the prosecution case is.*
>
> *2. The learned prosecutor has drawn my attention to the previous bail orders appended at Page 116. However, the bottom line for considering the present Application would be whether the Applicant is the beneficiary or otherwise. Appropriate instructions be apprised by tomorrow.*
>
> *3. Stand over to 13th August, 2026. To be listed first on Board."*

4. Applicant before the Court is an Advocate practicing at the Bar. He is also a Public Notary having been issued a license. Applicant admittedly himself despite being accused is one such victim who has invested substantial amount through his wife and details of the Memorandum of Understanding entered by the Applicant has also been seen by the Court.

5. Though the learned APP would vehemently argue that the Applicant was an influencer due to which others also invested their hard earned money, the moot question put to the prosecution as to whether the Applicant was recipient of any of the amounts invested has been answered in the negative. In that view of the matter, *prima facie,* arguable case is made out by Dr. Warunjikar insofar as the role attributed and the involvement of the Applicant is concerned. Save and except that he may have persuaded two-three investors who

invested money, there is nothing more to indict the Applicant in the crime. Applicant has made out out a case for grant of Bail.

6. In view of the above the following order is passed:-

(i) Applicant is directed to be immediately released from prison in connection with C.R. No. 564 of 2025;

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

(iii) Applicant shall report to the Investigating Officer at Bhosari MIDC Police Station, Pune, 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. He shall deposit his passport, if any, with the Trial Court within one week of being released from prison;

(vi) Applicant shall not influence with 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.

7. 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.

8. 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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