HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.3854 OF 2026

Shubham Umakant Dhake .. Applicant

Versus

The State of Maharashtra .. Respondent

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- Mr. Satyam Nimbalkar (appearing through Video Conferencing) a/w. Mr. Harshwardhan Milind Pawar, Advocates for Applicant.
- Ms. Rajeshree V. Newton, APP for Respondent.
- API – Madhumati Shinde, Pimpri Chinchwad Police Station.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 13, 2026

P.C.:

1. Heard Mr. Nimbalkar, learned Advocate for Applicant appearing through Video Conferencing and Ms. Newton, learned APP for Respondent.

2. This is an Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking Bail in connection with C.R. No.286 of 2025 registered with Pimpri Chinchwad Police Station for offences punishable under Sections 318(1), 318(4), 335, 338, 336(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Applicant is indicted as Accused No.1 in the present crime. There are total 5 accused persons. Accused Nos.3 and 4 are the sister and father of the Applicant. Accused No.5 is boyfriend of the Accused No.3. The case of prosecution is that Accused No.2 lured around 100

Investors by convincing them to invest Rs.9 Lakhs by filling a particular form of PMRDA so as to be entitled to allotment of a 1 BHK Flat in Pune. Most of the persons who invested the amount in intermittent denominations with the Accused No.2 did not fetch or get any return leading to filing of the present offence. The FIR is appended at page No.56 of the Application. I have perused the same. The entire case of the prosecution is directed against the Accused No.2 who was infact working in PMRDA and had induced investors to fill up a form under the PMRDA scheme. There is no specific role attributed to the other Accused persons in the FIR, save and except to state that when the Complainant had gone to visit the house of the Accused No.2, he found the other Accused persons in the house and had interacted with them. It is but natural that the other Accused persons being the family members of Accused No.2 are bound to be found over there. It is an irony that the Accused No.2 was successful in inducing several investors to part with their money to her on the assurance of getting allotment of a Flat for them at concessional rates. Be that as it may, Applicant before me is a Computer Engineer and even according to the prosecution case is not the beneficiary of a single rupee from the Investors who had paid the amounts to the accused No.2. Accused Nos.3 and 4 have not been arrested. Accused No.5 has been given Anticipatory Bail. Thus, this leaves Accused Nos.1 and 2 in prison. Considering the case of the prosecution that the Accused No.2 is the principal protagonist in the

present case, I am inclined to accept the submissions advanced by Mr. Nimbalkar along with Mr. Pawar for the Applicant and release the Applicant on bail.

4. Considering the aforesaid, Applicant has made out case for grant of bail subject to following conditions:-

(i) Applicant is directed to be immediately released from prison in connection with Crime No. 286 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 or two surety / sureties of the like amount;

(iii) Applicant shall report to the Investigating Officer at the concerned Police Station, once every month on the first Monday 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. It is clarified that the observations made in this order are limited for the purpose of granting Bail only and I have not made any observations on merits of the case. The trial shall be adjudicated on the strength of the evidence led and strictly on its own merits being uninfluenced with any of the *prima facie* observations made hereinabove in this order.

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

[MILIND N. JADHAV, J.]

H. H. SAWANT

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