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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2809 OF 2026

VASANT ANANDRAO IDHOL

Parvez Suleman Lakdawala & Anr. ...Applicants
V/s.
State of Maharashtra & Ors. ...Respondents

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Date: 2026.10.09 20:55:04 +0530

Mr.Mubin H. Solkar with Mr.Tahir Hussain, Mr.Anas K. Shaikh, Mr.Mehrosh Solkar, Adv.Tahera Qureshi, Adv. Zahid Burud, Adv. Hema Shah, Mr.Yakub Shaikh and Mr.Mateen Undre for the Applicants.

Mr.Prasanna P. Malshe, APP for the Respondent – State.

Mr.K.D. Patel, PSI, DCB Police Station, Ahmedabad is present in Court.

CORAM : PRAFULLA S. KHUBALKAR, J.
DATE : 8TH OCTOBER, 2026.

P.C. :-

1. Heard learned counsel for applicants as well as learned APP for respondent nos.1 and 2 who had advanced submissions on the basis of the instructions from the Investigating Officer from EOW, Crime Branch, Jamalpur, Ahmedabad, Gujarat, who is personally present in the court.

2. This is an application for transit anticipatory bail in connection with an offence bearing FIR No. 11191011260 of 2026 dated 15.06.2026 registered with DCB Police Station, Ahmedabad,

State of Gujarat for the offences punishable under Sections 316(2), 316(5), 336(2), 336(3), 340(2), 341(4) and 61 of The Bharatiya Nyaya Sanhita, 2023. It is pointed out that this offence is re-registered and investigated by Economic Offences Wing, Crime Branch, Gayakvan Haveli, Raikhad, Jamalpur, Ahmedabad, State of Gujarat vide FIR No. 11191011260168 of 2026.

3. Learned counsel for applicants submits that applicant no.1 is the Managing Partner and applicant no.2 is the Chief Executive Officer of the firm viz. M/s. Grace Property Development Ventures having its office at Bandra, Mumbai. It is submitted that FIR in question is registered against the two accused persons on the basis of allegation of inducement and cheating. He submits that these applicants are not named as accused in the FIR and a notice dated 21st August, 2026 under Section 179 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) was sent to the applicants. It is stated that in response thereto, applicant no.2 had personally attended the office of EOW on 4th August, 2026 and tried to submit the documents in connection with the controversy, however, it was informed to applicant no.2 that the presence of applicant no.1 is also necessary and on failure to remain present, an offence would be registered against both of them and they would be arrested. He therefore

submits that even though earlier notice under Section 179 of BNSS was issued, they have got an apprehension of arrest. He submits that thereafter a fresh notice dated 13th September, 2026 under Section 179 of BNSS came to be issued. Thus, in view of the apprehension of arrest, the applicants have filed the application for seeking transit anticipatory bail before the sessions court which came to be rejected and hence the instant application is filed.

4. Learned counsel for applicants submits that the offence is registered against two accused persons and as a matter of fact in respect of the transaction in question, the applicants had transferred an amount of Rs.13,23,000/- from their account of Kotak Mahindra Bank to the complainant's account in ICICI Bank. It is submitted that the applicants are ready to disclose all the transactions and extend co-operation by appearing in response to the notice under Section 179 of BNSS.

5. Learned APP for respondent no.1 on instructions from the Investigating Officer, who is personally present on behalf of respondent no.1 makes a statement that the Investigating Officer wants co-operation of the applicants in investigation. For that purpose notice under Section 179 of BNSS was served upon them. On instructions he makes a statement that at this stage, the custody of the

applicants is not required. He tenders across the bar a copy of the report dated 8th October, 2026, signed by the Police Sub-Inspector, EOW, Crime Branch, Ahmedabad which mentions that the presence of the applicants is required in response to the notice under Section 179 of BNSS. The said report is taken on record and marked "X" for identification purpose. He states that the investigation of the offence is complete and the charge-sheet is filed on 23rd September, 2026.

6. In view of above, since the notice under section 179 of BNSS is again served upon the applicants, it is clear that the applicants presence is required as a witness. Further in view of fact that the charge-sheet is already filed in connection with the said offence and hence there is no need of custodial interrogation of these applicants. Further, considering the fact that the applicants are seeking transit anticipatory bail for limited period to enable them to approach the competent court, the instant application needs to be allowed.

7. Hence I pass the following order,

: ORDER :

i. In the event of arrest of applicants in connection with an offence bearing FIR No. 11191011260 of 2026 dated 15.06.2026 registered with DCB Police Station,

Ahmedabad, State of Gujarat for the offences punishable under Sections 316(2), 316(5), 336(2), 336(3), 340(2), 341(4) and 61 of The Bharatiya Nyaya Sanhita, 2023 (re-registered by Economic Offences Wing vide FIR No. 11191011260168 of 2026), the applicants be released on bail on furnishing P.R. bond of Rs. 25,000/- each with one solvent surety of like amount.

ii. It is directed that this protection from arrest is granted for a period of four weeks from today, for enabling the applicants to approach the concerned Sessions Court for seeking appropriate orders.

iii. It is also directed that in case, respondent no.1 wants the attendance of the applicants, prior notice of seven days be served upon them.

8. It is clarified that this court has not expressed any observations on the merits of the case and in case the applicants submit any application under section 482 of BNSS, the same be decided by competent court on its own merits.

9. Accordingly, the instant application is allowed and disposed of.

(PRAFULLA S. KHUBALKAR, J.)