IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2903 OF 2026

Mr. Arjun Manohar Purohit …Applicant

Versus

The State of Maharashtra And Anr. …Respondents

Mr. Ashok Mundargi, Senior Counsel a/w Adv. Manish Gala, Adv. Minil Shah, Adv. Samyak Dehia i/b Adv. Nilesh Gala, for the Applicant.

Mrs. Megha S. Bajoria, A.P. P., for the Respondent – State.

Adv. Pavan Patil a/w Adv. Tanmay Deshmukh, Adv. Shubham Saraf and Adv. Soham Badole, for the Respondent No.2/Intervener/ Original Complainant.

PSI Rana Pardeshi, Navghar Police Station, Mira-Bhayender-Vasai-Virar Police Commissionarate, is present.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 14TH OCTOBER 2026

P. C.:-

1. Heard learned Senior Counsel for applicant and learned APP for respondent - State as well as learned counsel for respondent no.2/Intervener.

2. Considering the nature of offence, learned counsel for applicant seeks leave to join the complainant as party

respondent no.2. Leave granted. Necessary amendment be carried out forthwith.

3. Adv. Pavan Patil *suo-moto* appears on behalf of respondent no.2.

4. Learned APP tenders across the bar a copy of Say on behalf of Investigating Officer dated 13.10.2026 and the same is taken on record.

5. The applicant has filed instant application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, **"BNSS"**), seeking pre-arrest bail in Crime No. 51 of 2026 dated 27.01.2026, registered with Navghar Police Station, Mira-Bhayender-Vasai-Virar Police Commissionarate, for the offence punishable under Sections 316(1) and 318(3) of the Bharatiya Nyaya Sanhita, 2023 (for short, **"BNS"**).

6. It is alleged in the FIR that, the applicant has owned property bearing Old Survey No. 225, New Survey No. 188, Portion No. 10(C) with an area of 212.88 square meters and a building of 219.37 meters with ground plus two floors at Bhayender, which has been sold to the complainant under the contract for Rs. 10 crores and it is alleged that although the Sale

Deed and the possession of the said land have been registered in this regard, the applicant has cheated the complainant by not executing the Conveyance Deed of the said land in complainant's name.

7. Learned Senior Counsel for the applicant submits that the offence registered against this applicant is without any basis and the dispute is civil in nature. He further submits that a suit for specific performance is pending in which the complainant is the contesting party. He also submits that all the offences registered against this applicant have a maximum punishment of five years and the applicant is ready to extend cooperation by attending the police station and producing the necessary documents. He furthermore submits that the chargesheet is already filed and thus, prays for grant of anticipatory bail.

8. Learned counsel for the respondent no.2 submits that the offence is serious in nature and submits that the present bail application should be rejected. However, learned APP, on instructions from the Investigating Officer, who is personally present in the Court, submits that the chargesheet is already filed and the custody of the present applicant is not required.

9. Perused the FIR and documents placed on record. Considering the contentions canvassed by both the parties, it appears that the dispute is primarily civil in nature and the investigation is based on documentary evidence. Further, as the chargesheet is already filed, the applicant can be directed to disclose all the relevant documents to the investigating agency. In view of statement of Investigating Officer, custodial interrogation of the applicant is not warranted. Hence, the interim protection needs to be confirmed.

10. In view of the above, Anticipatory Bail Application is allowed, subject to certain conditions.

11. Hence, I pass following order :-

ORDER

(i) The Anticipatory Bail Application is allowed.

(ii) In the event of arrest of the applicant in connection with Crime No. 51 of 2026, registered with Navghar Police Station, Mira-Bhayandar-Vasai-Virar, for the offence punishable under Sections 316(1) and 318(3) of the Bharatiya Nyaya Sanhita, 2026, he be

released on bail on furnishing P. R. Bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with one solvent surety of the like amount.

(iii) The applicant is directed to attend the police station as and when called upon by the investigating agency and to disclose all the relevant documents to the investigating agency.

12. In view of this, the instant Anticipatory Bail Application is allowed and disposed of.

(PRAFULLA S. KHUBALKAR, J.)

VDMokal/-