

Arjun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.78 OF 2025**

Directorate of Revenue Intelligence ...Applicant
Versus
Swapnil Nandakishore Salunkhe & Anr. ...Respondents

**WITH
CRIMINAL APPLICATION NO.79 OF 2025**

Directorate of Revenue Intelligence ...Applicant
Versus
Swapnil Nandakishore Salunkhe & Anr. ...Respondents

**WITH
CRIMINAL APPLICATION NO.80 OF 2025**

Directorate of Revenue Intelligence ...Applicant
Versus
Vikas Raghunath Padekar & Anr. ...Respondents

**WITH
INTERIM APPLICATION NO.849 OF 2025
IN
CRIMINAL APPLICATION NO.80 OF 2025**

Vikas Raghunath Padekar ...Applicant
Versus
Directorate of Revenue Intelligence & Anr. ...Respondents

Ms. Nitee Punde a/w Harshad Shingnapurkar & Krupa Hasurkar, for the Applicant - DRI.

Ms. Deepali Bagla a/w Shreya Shipurkar i/b AH Legal, for Respondent No.1 in APPLN/78/2025 & APPLN/79/2025.

Dr. Sujay Kantawala a/w Aishwarya Kantawala a/w Jeffry Caleb i/b Avinash Limbola & Ayushi Jha, for Respondent No.1 in APPLN/80/2025.

Mr. S. M. Mangaonkar, APP, for the State.

**CORAM: MADHAV J. JAMDAR, J.
DATED: 03 FEBRUARY 2026**

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P.C.:

1. These Criminal Applications have been filed by the Directorate of Revenue Intelligence, seeking setting aside the Order dated 30th October 2023 passed by the learned Additional Sessions Judge, Panvel-Raigad, by which the anticipatory bail has been granted to the Respondent No.1 - Swapnil Nandakishore Salunkhe in Criminal Application No.78 of 2025 and Criminal Application No.79 of 2025 and Respondent No.1 - Vikas Raghunath Padekar in Criminal Application No.80 of 2025.

2. Ms. Punde, learned Counsel for the Applicant-Directorate of Revenue Intelligence, has filed synopsis of her submissions in all these Criminal Applications. She submits that various aspects are not taken into consideration by the learned Additional Sessions Judge and, therefore, the impugned Orders passed are perverse. She further submits that the material on record clearly shows the involvement of the Respondent No.1 - Swapnil Nandakishore Salunkhe and Respondent No.1 - Vikas Raghunath Padekar in a very serious crime and custodial interrogation is necessary. She submits that the factors which are required to be taken into consideration while granting anticipatory bail are not taken into consideration by the learned Judge. She therefore submits that the impugned Orders are required to be quashed and set aside.

3. On the other hand, Ms. Bagla, learned Counsel for Respondent No.1 in Criminal Application No.78 of 2025 and Criminal Application No.79 of 2025 and Mr. Kantawala, learned Counsel for Respondent No.1 in Criminal Application No.80 of 2025, submit that the Applicants are not involved in the crime and, therefore, the impugned Orders be not interfered.

4. However, perusal of the impugned Orders show that various aspects of the matter are not taken into consideration. The perusal of the impugned Orders further show that the factors which are required to be taken into consideration by the Court as per the settled legal position at the time of exercising jurisdiction of granting bail are not taken into consideration. The Supreme Court has laid down the parameters to be taken into consideration while grant of bail in the following Judgments:

- i. *Prasanta Kumar Sarkar v. Ashis Chatterjee*¹, (Paragraph No.9)
- ii. *State Rep. by the C.B.I. v. Anil Sharma*², (Paragraph No.6)
- iii. *Nikita Jagganath Shetty alias Nikita Vishwajeet Jadhav v. State of Maharashtra*³, (Paragraph No.18)

Therefore, the impugned Orders are passed contrary to the settled legal position and are perverse.

1 (2010) 14 SCC 496

2 (1997) 7 SCC 187

3 2025 SCC OnLine SC 1489

5. At this stage, Ms. Bagla, learned Counsel for Respondent No.1 in Criminal Application No.78 of 2025 and Criminal Application No.79 of 2025 and Mr. Kantawala, learned Counsel for Respondent No.1 in Criminal Application No.80 of 2025, after taking instructions, state that the impugned Orders dated 30th October 2023 passed by the learned Additional Sessions Judge, Panvel-Raigad, be quashed and aside and the respective Anticipatory Bail Applications bearing Bail Application No.840 of 2023, Bail Application No.839 of 2023 and Bail Application No.813 of 2023 be remanded back to the learned Additional Sessions Judge. Ms. Bagla, learned Counsel and Mr. Kantawala, learned Counsel, however, state that till the disposal of Bail Application No.840 of 2023, Bail Application No.839 of 2023 and Bail Application No.813 of 2023, the Respondent No.1 be protected.

6. Thus, in the facts and circumstances and in view of the above discussion, the impugned Orders dated 30th October 2023 passed by the learned Additional Sessions Judge, Panvel-Raigad in Bail Application No.840 of 2023, Bail Application No.839 of 2023 and Bail Application No.813 of 2023 are quashed and set aside and the said Bail Applications are remanded back to the learned Additional Sessions Court.

7. In the facts and circumstances, the learned Additional Sessions Judge is requested to dispose of the said Bail Applications expeditiously,

on or before 30th April 2026.

8. Both the parties to appear before the learned Additional Sessions Judge on 12th February 2026 at 03:00 pm.

9. Till the disposal of the said Bail Applications, the protection granted by the impugned Order dated 30th October 2023 shall remain in operation.

10. It is clarified that the contentions of both the parties are expressly kept open.

11. Accordingly, the Criminal Applications are disposed of in above terms.

12. As the Criminal Applications are disposed of, nothing survives in the Interim Application and the same is also disposed of.

[MADHAV J. JAMDAR, J.]