

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1107 OF 2024

Vaibhav Subhash Nalage

...Applicant

Versus

The State of Maharashtra

...Respondent

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Mr. A. K. Chauhan a/w. Ms. Vidya Rao, Mr. Abhijit Bansode and
Ms. Damini Mishra, for the Applicant.

Mr. S. M. Mangaokar, APP, for the Respondent-State.

Ms. Shital Patil, PSI, attached to Talegaon Dabhade Police Station,
Pune, present.

CORAM: MADHAV J. JAMDAR, J.

DATED : 12th JANUARY 2026

PC:-

1. A learned Single Judge by order dated 30th April 2024 has
granted interim protection to the Applicant. The said order dated
30th April 2024 reads as under:

*“1. The Applicant is seeking anticipatory bail in
connection with C.R. No.573 of 2023 registered at
Talegaon-Dabhade Police Station, Pune under
sections 420, 406 read with section 34 of the Indian
Penal Code.*

*2. Heard Mr. Chauhan, learned counsel for the
applicant and Smt. Mhatre, learned APP for the
State.*

3. The F. I. R. is lodged by one Uttam Mande. It is stated that he is teaching in a high school at Nigde Tal. Maval. He had a friend named Mr. Atul Machale, who had brought the present Applicant to the Informant's house and introduced them with each other. After some days the Applicant, who was a Police Naik told him that he was interested in getting work through tender with APMC, Gultekdi, Pune. The documentation was to be done by one Sujit Devkule. There was requirement of funds. The Applicant did not have that much amount. He requested for financial help from the informant. He promised ₹ 60,000/- per month to be paid to the informant if the informant invested with them. The Applicant told the informant that the requirement was of ₹ 12,25,000/- for the tender process and for documentation ₹ 75,000/- was to be paid to the Applicant. The F. I. R. mentions that the informant paid ₹ 75,000/- to the applicant and in all he paid ₹ 13,00,000/- as requested by the Applicant and others. Subsequently there was no news about that tender. The Applicant did not contact him. The informant's money was lost. He also came to know that similar to him one Santosh Chavan had lost ₹ 6,50,000/-. On this basis the F.I.R. is lodged.

4. Learned counsel for Applicant submitted that even before lodging of F.I.R., amount of ₹ 75,000/- was refunded by the Applicant to the informant. Learned APP, on instructions with the investigating officer accepts this fact. Learned counsel for Applicant therefore submitted that the Applicant has not benefited from this entire transaction. He has shown his bonafide by returning the money which he himself had received.

5. Learned APP submitted that the total amount lost by the informant was ₹ 13,00,000/-. The promise and inducement were made by the Applicant.

Therefore, he is not responsible for the loss of ₹ 75,000/- alone.

6. I have considered these submissions. Since the Applicant is working with the Police Department, he is not likely to abscond. He has refunded the amount which he himself had received. Therefore, as of today, the Applicant can be protected by way of an ad-interim order. The investigation can go on and the learned APP can make further submission on the basis of the result of the investigation. For that purpose Applicant will have to attend the concerned police station as and when called and will have to cooperate with the investigating agency.

7. Hence, the following order :

ORDER

i) In the event of his arrest in connection with C. R. No.573 of 2023, registered at Talegaon Dabhade Police Station, till the next date the Applicant shall be released on bail on his executing P. R. bond in the sum of ₹ 30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.

ii) This order shall operate till 27th June 2024.

iii) The Applicant shall attend the concerned police station as and when called and shall cooperate with the investigating agency.

iv) Stand over to 27th June 2024.

2. Although, Mr. Mangaonkar, learned APP submits that the offence is very serious and therefore, the Anticipatory Bail Application be rejected, however, charge-sheet is filed. Thus, the investigation is completed. The Applicant is working in Police Department and not likely to abscond. As noted in the order dated 30th April 2024, the Applicant has refunded the amount which he himself had received. Thus, the case is made out for grant of Anticipatory Bail.

3. Accordingly, the Anticipatory Bail Application is disposed of in terms of order dated 30th April 2024 passed by a learned Single Judge.

4. The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.

[MADHAV J. JAMDAR, J.]