

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.2129 OF 2024

Pavan Kumar Bachharaj Chandan Applicant

V/s.

The State of Maharashtra and anr. Respondents

**WITH
CRIMINAL APPLICATION (APPLN) NO. 404 OF 2024**

Naresh Keshrimal Mehta Applicant

V/s.

The State of Maharashtra and anr. Respondents

Mr. Sushant Jha i/b. Mr. Khan Javed Akhtar for the Applicant in
ABA/2129/2024.

Smt. M.S. Bajoria, APP for the Respondent No.1 – State.

Mr. Siddharth Jagushte for Respondent No.2 and for the Applicant in
APPLN/404/2024.

Ms. Suvarna Raut, API, EOW, Mumbai, present.

CORAM : SHYAM C. CHANDAK, J.

DATE : 9th APRIL, 2026

P.C. :-

1) The Applicant in ABA/2129/2024 apprehends his arrest in C.R.No.244/2024 registered with V.P. Marg Police Station, Mumbai, which is now being investigated by EOW, Mumbai for offence punishable under Sections 420, 465, 467, 468, 471, 120(B) of the Indian Penal Code on the report of Respondent No.2 and therefore prayed for pre-arrest bail.

2) Heard Mr. Jha, learned Counsel for the Applicant, Smt. Bajoria, learned APP for the Respondent No.1 – State and Mr. Jagushte, learned Counsel for Respondent No.2-original Complainant. Perused the entire record.

3) The prosecution case is that, the Applicant and accused no.2 – Mr. Shrenik Chandan are the Directors of M/s. Build Well Developers.

Accused No.3-Rajendra Daiya had been looking after the financial affairs of the said Company. In the year 2006-07, the informant-Mr. Naresh Mehta entered into an agreement with the said Company to purchase 12 tenements in a building namely Chandan Heights for a consideration of Rs.3,40,00,000/-. Said building was constructed by the Applicant's Company. However, instead of selling the said flats to the Complainant, the Applicant and his co-accused sold 10 tenements to the third party and did not return the principal amount along with interest to the informant. Thus, the said fraudulent act of the Applicant and his co-accused caused wrongful loss of Rs.60 Crores to the complainant. Consequently, the complainant filed the report dated 26/04/2024 with V.P. Marg Police Station, Mumbai and accordingly the present crime came to be registered.

4) Mr. Jha, learned Counsel for the Applicant submitted that the entire dispute is of civil nature. By Order dated 31/07/2024, this Court had directed not to take coercive steps against the Applicant. Since then, the Applicant had co-operated with the investigation. At no point of time, the Applicant's custodial interrogation was required by the police. The Applicant has not misused the liberty granted by the said Order in his favour.

5) Finally, on completion of the investigation, charge-sheet came to be filed. The Investigating Officer is present and on instructions, learned APP states that the Applicant and the co-accused are attending the case before the trial Court. Mr. Jagushte, the learned Counsel for the Respondent No.2 has not objected the Application. The Applicant is a permanent resident of the given address. The Applicant is not likely to abscond or tamper with the prosecution evidence. Both the co-accused have been granted Anticipatory Bail by the trial Court. They have not misused the said bail liberty.

6) In view thereof, the Applicant has made out a case for grant of Anticipatory Bail. Hence, the following Order :-

(a) In the event of the arrest of the Applicant – Pavan Kumar Bachharaj Chandan in connection with C.R.No.244/2024 registered with V.P. Marg Police Station, Mumbai and now being investigated by EOW, Mumbai for offence punishable under Sections 420, 465, 467, 468, 471 and 120(B) of the Indian Penal Code, he shall be released on bail, on his furnishing P.R. bond in the sum of Rs.2,00,000/- with one or two sureties in the like amount.

(b) The Applicant shall regularly attend before the trial Court and co-operate for hearing and disposal of the said cases as will be required by the trial Court.

(c) The Applicant shall not tamper with the prosecution evidence and shall not threaten the prosecution witnesses.

(d) The Applicant shall furnish his address and contact details to the Police Station and the trial Court and a change therein, if any.

7) Application stands disposed of.

8) Since Mr. Jagushte, learned Counsel appearing for the Intervenor is heard, the Criminal Application (APPLN) No.404 of 2024 filed by the Complainant stands disposed of.

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(SHYAM C. CHANDAK, J.)