

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2513 OF 2024

Madhav Mallikarjun Manore And Ors.	...Applicants
<i>Versus</i>	
State of Maharashtra	...Respondent

Mr. Ganesh Gupta a/w Mr. Yogen Kakade, Mr. Ganesh Kudmule, Ms. Roshni Naaz, Mr. Sahil Ghorpade, Mr. Madan K. Mr. Surya P. Gupta, Ms. Priyanka Rathod i/b G.G. Legal Associate, Advocate for Applicants.

Mr. Jitendra P. Gorane (Through V.C.) a/w Mr. Aatosh Tayade, Respondent No.2.

Ms. G. P. Mulekar, APP for the State.

API, Nilesh Nalawade, Kalewadi Police Station, Pune present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 10th FEBRUARY 2026

P.C.:

1. Heard Mr. Gupta, learned Counsel appearing for the Applicant, Mr. Gorane, Advocate for Respondent No.2. and Mr. Mulekar, learned APP for the State.

2. By this application filed under Section 438 of the Code of Criminal Procedure, 1973 the Applicants are seeking pre-arrest bail in connection with C.R. No.780 of 2024 registered with Wakad Police Station, Pimpri-Chinchwad, for offences under Sections 406

and 420 read with Section 34 of the Indian Penal Code, 1860 (IPC).

3. Mr. Gupta, learned counsel appearing for the Applicants submitted that the civil dispute between partners of a Partnership Firm is being given the colour of criminality by First Informant. He submits that a learned Single Judge by order dated 4th October, 2024 has granted interim protection by observing that there is substance in the contention that the dispute is of civil nature. He submits that the Applicants have co-operated with the investigation and whatever, documents, which are available with the Applicants have been submitted to the Investigating Officer.

4. On the other hand, Mr. Gorane, learned counsel appearing for the first informant pointed out the Agreement Dated 22nd November, 2021 and submitted that the Applicants have collected huge amount to the extent of Rs.40 Crores. He submits that the Applicants have accepted consideration in cash with the fraudulent intention to cheat other partners and therefore custodial interrogation is necessary.

5. Mr. Gupta, submits that even as per the FIR only amount of Rs.34,00,000/-(Rupees Thirty Four Lakhs Only) has been invested by the First Informant and out of that cheque of Rs.12,00,000/-(Rupees Twelve Lakhs Only) was dishonored. He submits that infact there is serious doubt whether even balance amount of Rs.22,00,000/-(Rupees Twenty Two Lakhs Only) has been invested by the First Informant.

6. Ms. Mulekar, learned APP strongly opposes granting anticipatory bail. She submits that the Applicants are not co-operating with the investigation and cash receipt book has not been produced by the Applicants. Therefore she submits that custodial interrogation is necessary.

7. Perusal of the record shows that even FIR also, records that there is some dispute concerning partnership firm. The said partnership firm is not registered. The record also shows that the civil suit bearing Special Civil Suit No.1406 of 2024, has been filed by the Applicants before the Competent Court at Pune, for dissolution of the partnership firm and for settlement of the

accounts. The learned Single Judge in the order dated 4th October, 2024 has specifically recorded that there is substance in the contention raised on behalf of the Applicants, that the dispute is of civil nature between partners of the partnership firm. Thus, in the facts and circumstances case is made out for grant of Anticipatory Bail.

8. Accordingly, the Applicant is entitled to pre-arrest bail. Hence, following Order is passed:

ORDER

- (i) In the event of arrest, the Applicant - Madhav Mallikarjun Manore be released on bail in C.R. No.780 of 2024 registered with Wakad Police Station, Dist. Pimpri-Chinchwad on executing P.R. bond of Rs.1,00,000/- and furnishing one or two sureties in the like amount.
- (ii) The Applicant shall attend the concerned Police Station on 17th February 2026, and 18th February 2026 between 11.00 a.m. to 2.00 p.m. and thereafter as

and when called by the Police and shall co-operate with the investigation.

- (iii) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (iv) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.
- (v) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant, or any witness, in any manner.
- (vi) The Applicant shall not leave India without prior permission of the Court.

(vii) The Applicant shall deposit passport with the Investigating Officer.

9. The Anticipatory Bail Application is allowed and disposed of accordingly.

(MADHAV J. JAMDAR, J.)