Arjun

ARJUN VITTHAL KUDHEKAR
Digitally signed by ARJUN VITTHAL KUDHEKAR
Date: 2026.01.09 20:39:26 +0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.3459 OF 2024

Rohit Satish Bodke …Applicant

Versus

The State of Maharashtra …Respondent

Mr. Mihir N. Kasliwal i/b R. J. Kasliwal, for the Applicant.

Ms. S. M. Yadav, APP, for the Respondent-State.

A.P.I. Lamkhade, Yerwada Police Station, Pune City, present.

CORAM: MADHAV J. JAMDAR, J.
DATED: 09 JANUARY 2026

P.C.:

1. A learned Single Judge by Order dated 19th December 2024 has granted interim protection to the Applicant. The said Order reads as under :-

> "*. Heard Mr. Kasliwal, learned counsel for the applicant and Ms.Ambekar, learned APP for the respondent-State.*
>
> *2. The applicant is apprehending arrest in connection with FIR No.0305 of 2024 dated 18.05.2024 registered with Yerwada Police Station, District - Pune City, for offences under Sections 408, 420 read with 34 of the Indian Penal Code, 1860 (IPC).*
>
> *3. The informant is a manager of a company called 'Profitmart Securities Private Limited'. It is alleged that the applicant was working as agent / broker with the said company. He was removed from the said position on 02.08.2022 and thereafter, he misused the name of the said company and opened a bank account in the name of*

'Profitmart Securities', thereby misleading the clients / investors of the said complainant company.

4. The learned counsel for the applicant submits that there is delay in registration of the FIR. He submits that the clients, who invested with the applicant, had come to him due to his goodwill and that, he has given appropriate returns to them. It is submitted that none of his clients have raised grievance with regard to the manner in which their finances have been handled by the applicant.

5. The learned APP, on the other hand, submits that the FIR itself shows that at least three clients of the complainant company sent e-mails to the informant and gave information about the manner in which the applicant has opened the aforesaid bank account and taken amounts from them for investment. Therefore, the ingredients of the offence are made out. It is also stated that notices issued under Section 41-A of the Code of Criminal Procedure, 1973 (Cr.P.C.) have not been responded to by the applicant, thereby showing that he is not co-operating with the investigation.

6. This Court is of the opinion that while the application can be kept pending for the learned APP to produce the investigation papers, interim relief can be granted to the applicant, with a direction to co-operate with the investigation. This is because, prima facie, the FIR appears to have been registered about two years after the grievance of the complainant company arose. It is to be noted that there is no proceeding initiated by the complainant company, seeking any injunction against the applicant for the period when he allegedly misused the name and goodwill of the complainant company. It is not as if any of the investors / clients of the applicant have made any grievance about having been duped by the applicant by promising attractive returns and not keeping the promise.

7. There shall be interim relief in the following terms:-

A. Till the next date, in the event the applicant is arrested in connection with FIR No.0305 of 2024 dated 18.05.2024 registered with Yerwada Police Station, District - Pune City, he shall be released on bail on furnishing PR Bond of Rs.50,000/-

with one or two sureties in the like amount to the satisfaction of the trial Court;

B. The applicant shall remain present before the investigating officer on 21.12.2024 between 10:00 a.m. and 12 noon and thereafter, as and when called. He shall co-operate with the investigation;

C. The applicant shall not influence the informant, witnesses or any person concerned with the case and he shall not tamper with the evidence.

8. In case any of the aforesaid conditions is violated, the present order would be liable to be cancelled.

9. List the application for further consideration on 22.01.2025, High on Board."

2. Ms. Yadav, learned APP, states that the offence is very serious and therefore the Anticipatory Bail Application be rejected. She further submits that investigation is almost completed that the Charge-sheet is ready and the same will be filed shortly.

3. As the investigation is completed and as the learned Counsel for the Applicant states that there are no criminal antecedents, the Anticipatory Bail Application is disposed of in terms of the Order dated 19th December 2024.

[MADHAV J. JAMDAR, J.]