

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.376 OF 2025**

Sachin Rajendra Singh

...Applicant

Versus

State of Maharashtra

...Respondent

Mr. Keral Navratan Mehta, *for the Applicant.*

Ms. Gauri S. Rao, *APP for the Respondent - State.*

PSI – S.S. Sabale, Manikpur Police Station, present.

CORAM DR. NEELA GOKHALE, J.

DATED: 10TH FEBRUARY 2026

PC:-

1. By this Application, the Applicant seeks modification of condition (vi) of order dated 18th July, 2025 passed by the Additional Sessions Judge, Vasai in Bail Application No.611 of 2025. It appears that the Applicant has received money from various flat purchasers. A housing project was supposed to be built on some land. However, it transpired that the land belongs to the SC and ST and hence there was an embargo of Section 36 and 36A of the

Maharashtra Land Revenue Code (**MLRC**), 1966 on account of construction was stopped. In the meantime, the Applicant and another co-accused have already accepted huge amounts from prospective buyers. In these circumstances, the complaint came to be registered.

2. Ms. Keral Mehta, learned counsel for the Applicant, submits that such a condition cannot be imposed as a condition for grant of bail. She relies upon a decision of the Supreme Court in the matter of *Gajanan Dattatray Gore vs. State of Maharashtra & Anr*¹ wherein the Supreme court has strongly deprecated the practice of accepting monitory deposits as a condition for grant of bail. Further in the matter of *Prantik Kumar & Anr v. the State of Jharkhand & Anr*², the Supreme Court in paragraph 9 of its order dated 3rd February, 2026 has once again reiterated its observations in the case of *Gajanan Dattatray Gore (supra)* which reads as under:

1 (2025 INSC 913)

2 Special Leave Petition (Criminal) Diary No.4297/2026.

“9. In our Judgment, referred to above, we made ourselves very clear that if a case for grant of bail or anticipatory bail is made out, then the Court should proceed to pass an appropriate order and if not made out, the Court may decline, however, Court should not pass a conditional order of deposit of a particular amount and then exercise its discretion.”

3. In these circumstances, the factual matrix and in view of the settled law, the condition (vi) is modified and deleted accordingly.

4. Criminal Application is allowed and is disposed of in the above terms.

(DR. NEELA GOKHALE, J)