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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.3099 OF 2025

Hulchal Lalji Garg	...Applicant
V/s.	
State of Maharashtra	...Respondent

Mr.Rajaram V. Bansode with Ms.Sheetal M. Ubale for the Applicant.

Mrs.Sangita Shinde, APP for the State - Respondent.

Mr.V.S. Bhoir, API, Cyber Police Station, Navi Mumbai is present in Court.

CORAM : R.M. JOSHI, J.
DATE : 6TH MARCH, 2026.

P.C. :-

1. This Application is filed by the Applicant seeking bail in connection with Crime No.36 of 2024 registered with Nerul Cyber Police Station, Navi Mumbai for the offences punishable under Sections 420, 406, 34 of IPC and Section 66(D) of the Information Technology Act.

2. It is the case of the prosecution that the accused persons in collusion with each other shown fictitious profits in trading of shares through App. By doing that, they gained confidence of the informant and lured her to invest a sum of Rs.1,92,49,200/-. Ultimately, it was found to be a case of fraud. Both accused were arrested. After conclusion of investigation, chargesheet came to be filed.

3. Learned counsel for the Applicant submits that the Applicant has been alleged of exactly same role as against the co-accused Jaychandra. It is his submission that the co-accused has been granted bail by the Sessions Court on 30th January, 2026. He therefore, seeks bail on parity. It is his further submission that the Applicant has no criminal history and is not likely to abscond.

4. Learned APP though opposed the Application, she was not able to point out any difference in the role alleged against the present Applicant as compared to

the co-accused. She however, apprehends the abscondance of the Applicant, as he hails from the State of Uttar Pradesh. It is further argued that there are six more accused persons, who are till date absconding.

5. There is no dispute about the fact that the co-accused has been granted bail by the Sessions Court by an order dated 30th January, 2026. *Prima-facie*, view of the record indicates that the role attributed by both the Accused as well as the Applicant is exactly the same. After conclusion of investigation and filing of the chargesheet against them, which is filed on 28th March, 2025, there is no propriety in keeping the Applicant behind the bar by way of pre-trial sentence.

6. Insofar as the apprehension of the prosecution about his abscondance, appropriate conditions can be imposed. Apart from this only because the co-accused are not arrested till date, that itself does not become a ground for rejection of the Application. Hence order :

ORDER :

- a). The Application stands allowed in connection with Crime No.36 of 2024 registered with Nerul Cyber Police Station, Navi Mumbai.
- b). The Applicant be enlarged on bail on furnishing PR bond of Rs.50,000/- with one solvent surety in the like amount.
- c). The Applicant not to directly or indirectly cause interference in the evidence of the prosecution.
- d). The Applicant not to indulge in any criminal activity including similar nature of the offence.
- e). The Applicant to provide the details of his place of residence and Mobile contact number to the Investigating Officer and communicate the change, if any, in writing during the pendency of the trial.
- f). The Applicant shall attend the dates of hearing before the Trial Court, unless exempted by the Court by passing specific order.

(R.M. JOSHI, J.)