

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

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CRIMINAL BAIL APPLICATION NO.3215 OF 2025

Sanjay Vishnu Giri

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr. R. D. Suryawanshi a/w Ms. Ketkee Kamble and Mr. Suraj Naik,
Advocates for Applicant.

Mr. Hitendra J. Dedhia, APP for the Respondent-State.

CORAM : R. M. JOSHI, J.

DATED : 05th MARCH 2026.

P. C. :-

1. This application is for enlargement on bail in connection with Crime No.I-5 of 2025 registered with Kulgaon Taluka Police Station for the offences punishable under sections 420, 406 read with 34 of the Indian Penal Code.

2. The gist of the F.I.R. is that total sum of Rs.5.77 Crores received by the informant and others by way of compensation towards acquisition of the land for Mumbai-Vadodara Highway was due to be received. First Informant alleges in F.I.R. that the present applicant approached them and told them that he will assess them for the receipt of the said amount. It is alleged that the applicant has obtained thumb impression of the informant and from time to time paid Rs.1 lakh in cash.

It is also alleged that on different documents, his signature and thumb impressions of the relatives of the informant were also taken. The informant came to know that sum of Rs.9 lakhs is transferred into the account of Jai Shree Krishna Enterprises. After verification of the bank record, it was found that various amounts were transferred to Jai Shree Krishna Enterprises and others. The allegation against the present applicant is that he has received the sum of Rs.17 lakhs which was deposited into the account of Sainath Dilip Bharati. On conclusion of investigation, chargesheet is filed.

3. The learned Counsel for the applicant submits that the statement of informant with regard to the amount being taken by the applicant is not believable in view of the fact that such allegations were made against accused Manisha, Proprietor of Jai Shree Krushna Enterprises, after filing of the chargesheet, supplementary statement came to recorded of the informant and others indicating some different transaction with her. It is submitted that the co-accused against whom similar role is attributed are enlarged on bail by this Court by Order dated 21st May, 2025. He therefore, seeks enlargement on bail on the ground of parity.

4. The learned APP opposed the application essentially contending that there is evidence to indicate the amount of Rs.17 lakhs is

withdrawn by the present applicant from the account of Sainath. It is his submission that the bail was granted to the co-accused as there was recovery of the amount which was received in their account. It is his submission that though chargesheet was filed against Manisha, pursuant to the supplementary statement recorded on 20/02/2025 her name is dropped from the array of accused.

5. As rightly argued by the Counsel for the Applicant that this is a strange case wherein specific allegations are made by the informant against the Proprietor of Jai Shree Krishna Enterprises and on the basis of the evidence collected, chargesheet came to be filed by naming the proprietor of the said firm as an accused. Lateron, supplementary statements are recorded by the informant and relatives of the informant indicating some different transactions with the said Jai Shree Krishna Enterprises. Pertinently, there is no document to indicate any transaction between them. This has been accepted by the Investigating agency only on the basis of supplementary statement and affidavit filed by them, without conducting any further investigation in it. This Court therefore finds substance in the contentions of the Counsel for the applicant that it would be unsafe to rely upon the statement of informant and witnesses which creates doubt about correctness/ genuineness thereof.

6. Admittedly, chargesheet has been filed on conclusion of investigation. There are no antecedents against the Applicant. He is not likely to flee from justice. Hence, this is a fit case to enlarge the applicant on bail. Hence, following order.

: ORDER :

- 1) Application stands allowed in connection with Crime No.I-5 of 2025 registered with Kulgaon Taluka Police Station.
- 2) Applicant be enlarged on bail by furnishing PR. bond of Rs.30,000/- with one or two solvent sureties in the like amount to the satisfaction of the Trial Court.
- 3) Any breach of the conditions will result the vacation of this order and the Applicant shall be taken custody for undergoing trial.
- 4) Applicant to attend all dates of hearing before the Trial Court unless exempted by Trial Court by passing specific order.

(R. M. JOSHI, J.)