

Prasad

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.4690 OF 2025

Jitendra Ramswarup Thakur

...Applicant

Versus

State of Maharashtra

...Respondent

Mr. Aman Singh, for the Applicant.

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

CORAM: R. M. JOSHI, J.

DATED: 20th APRIL, 2026.

PC:-

1. The Applicant seeks his release on bail in connection with CR No.151 of 2022 registered with Tulinj Police Station, for the offence punishable under Section 420 of the Indian Penal Code, 1860, Sections 3 and 4 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999 (MPID Act) and Sections 52, 53 and 54 of the Maharashtra Regional Town Planning Act of 1966.

2. The FIR of first informant Harischandra Jadhav, serving in VVCMC dated 08/03/022 to Tulinj Police Station alleges that a move was taken for demolishing unauthorised construction of the buildings of their ward. On 21/07/2018, the building constructed by developer Jitendra Thakur was inspected. It was found that construction of said building was made without the prior permission and without getting sanctioned the building plan

from the Competent Authority. Therefore, on 18/07/2018, a panchanama of the building was prepared. A report was submitted to the Town Planning Department dated 07/07/2018. No building permission was found with the Municipal office. A notice dated 21/07/2018, was affixed on the building asking to demolish the construction of the building. But the developer Jitendra Thakur did not pay any heed. On FIR of Harishchandra Jadhav, Tulinj police registered Crime No. 151/2022 under section 420 of IPC, u/s. 3 of MPID Act and u/s. 52, 53 and 54 of MRTTP Act.

3. During investigation of crime, involvement of co-accused Murlidhar Sharma was found. Accused Jitendra Thakur was absconded. He came to be arrested on 27/08/2025. In the mean time a charge-sheet came to be submitted.

4. Learned counsel for the Applicant submits that except for the alleged agreement with Chandrasen Dubey, there is no evidence to connect the Applicant with this crime. In this regard, reference is made to the Affidavit filed by Chandrasen Dubey indicating that there is settlement in respect of those agreements with the present Applicant. It is his further submission that the co-accused was granted anticipatory bail by the Sessions Court.

5. Learned APP opposes the application by pointing out the agreements between Applicant and Chandrasen Dubey so also notice dated 21st July, 2018 issued against the Applicant under MRTTP Act.

6. *Prima facie* perusal of the record indicates that except for the agreement with Chandrasen Dubey, Applicant seems have

not signed any documents. Insofar as Chandrasen Dubey is concerned he has filed an Affidavit indicating settlement between the parties.

7. Having regard to these facts, this Court finds no reason or justification not to grant bail. Applicant cannot be kept in jail by way of pretrial sentence.

ORDER

i) The Bail Application is allowed.

ii) In connection with CR No.151 of 2022 registered with Tulinj Police Station, the Applicant be enlarged on bail on furnishing PR Bond of Rs.15,000/- with one surety in the like amount, to the satisfaction of the Trial Court.

iii) The Applicant is directed to attend the concerned police station as and when called for by the Investigating Officer.

iv) The Applicant to attend proceedings before the Trial Court unless exempted.

8. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the learned Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(R. M. JOSHI, J.)