

N.S.Kamble

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 4853 OF 2025

Imran Salahuddin Momin

... Applicant

Versus

The State of Maharashtra

... Respondent

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Ms.Vilasini Balasubramanian a/w Mr.Pratik Deshmukh i/b Mr.Suryajeet Chavan, for the Applicant.

Mr.P.P. Jadhav, APP for Respondent-State.

Mr.Aditya Ajgaonkar a/w Mr.Mohammed Naved I. Mulla, Mr.Pulkit Tyagi, Ms.Rupal Shrimal and Ms.Saloni Chordia, for the Intervenor.

CORAM : SHIVKUMAR DIGE, J.

DATE : 26th MARCH 2026

P.C. :

1. By this Application, the Applicant is seeking regular bail in Crime No. 301 of 2023 registered with Kamothe Police Station, Navi Mumbai, for the offences punishable under Section 420 read with Section 34 of the Indian Penal Code, 1860 ('IPC' for short).

2. It is prosecution's case that the Applicant persuaded First Informant and other investors to invest the amount in share market with assurance of handsome returns. After investing the amount, First Informant

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and other investors did not get returns on their invested amount. It is alleged that the Applicant has cheated for Rs.65 lakhs.

3. It is contention of learned counsel for the Applicant that the Applicant is behind bars for almost one year. Out of the cheated amount, Rs.10 lakhs has been recovered and Rs.20 lakhs has been deposited to show *bona fide*. The learned counsel further submitted that the Applicant has no objection to withdraw the deposited amount by the concerned investors, if the Application for same is filed by the concerned investors, before the Trial Court. The learned counsel further submitted that the Applicant has no antecedents. There is no progress in trial, and requested to allow the Application.

4. It is contention of learned APP along with learned counsel for Respondent No.2 that the Applicant has cheated First Informant and other investors. The amounts were transferred through bank transactions to the Applicant's bank account. If the Applicant released on bail, he may abscond or threaten prosecution witnesses, and requested to reject the Application.

5. I have heard all learned counsel. Perused charge-sheet and documents produced on record.

6. Out of Rs.65 lakhs, Rs.10 lakhs is recovered and Applicant has deposited Rs.20 lakhs before this Trial Court. The Applicant has no

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objection for withdrawal of the said amount, if the Application for the same is preferred by the First Informant and other investors before the Trial Court. The Applicant is behind bars for almost one year. The Applicant has no antecedents. There is no progress in trial.

7. Considering these facts, I pass following order.

ORDER

- (i) The Applicant be released on bail in Crime No. 301 of 2023 registered with Kamothe Police Station, Navi Mumbai, on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.
- (ii) The Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.
- (iii) The Trial Court shall decide the case on its own merits and in accordance with law, uninfluenced by the observations made in this order.
- (iv) The Applicant shall attend the concerned Police Station as and when required.
- (v) Application is allowed in the aforesaid terms.

8. The Trial Court shall decide the matter independently on its own merit, uninfluenced by the fact that the Applicant has deposited the amount, which shall not be treated as admission of guilt.

(SHIVKUMAR DIGE, J.)