

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

ANTICIPATORY BAIL APPLICATION NO.3026 OF 2025

Tarun Harish Thakkar

... Applicant

Vs.

The State of Maharashtra & Anr.

... Respondents

Mr. Abhishek Kulkarni a/w Sagar Wakale & R. S. Pere for the Applicant.

Mr. P. H. Gaikwad, APP for Respondent No.1-State.

Mr. Sudhanva S. Bedekar a/w Swapnil Shanbhag i/by Mohammed Najmi for Respondent No.2-first informant.

API S. S. Kadam, Kandivali PS is present.

CORAM : N.R. BORKAR, J.

DATE : 16TH FEBRUARY 2026

PC. :

1. This is an Application for anticipatory bail.

2. The Applicant is apprehending his arrest in Crime No.466 of 2025 registered with Kandivali Police Station for the offences punishable under Sections 318(4), 336(3), 338, 340(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The first informant is a Secretary of Anjuman-e-Najmi Dawoodi Bohra Trust, Kandivali. The said Trust has leased out a land owned by it to Esplanade Education Society for a period of 97 years. It is alleged that the co-accused in the present crime namely Jayesh Majithiya and Kirti Zaveri, who were trustees of the said Esplanade Education Society, had obtained a loan of Rs.4,50,00,000/- from the Axis Bank by submitting a forged NOC

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of the Trust to the bank. During the course of investigation, it was revealed that the present Applicant, who was legal advisor of Esplanade Education Society, had prepared the said forged NOC and submitted to the bank. It was also revealed that the present Applicant had received an amount of Rs.1,19,05,000/- out of the said loan amount.

4. I have heard Learned Counsel for the Applicant, Learned APP for the Respondent-State and Learned Counsel for the first informant.

5. Learned Counsel for the Applicant submits that the Applicant has nothing to do with the alleged crime. It is submitted that the Applicant has received an amount of Rs.60,00,000/- from the co-accused Jayesh Majethia towards professional fees. It is submitted that the statements of the co-accused can not be relied upon to connect the present Applicant with the alleged crime as the same are inadmissible in evidence. It is submitted that there is no need of custodial interrogation and the Applicant is ready and willing to cooperate in the investigation.

6. On the other hand, Learned APP for the Respondent-State and Learned Counsel for the first informant submit that apart from the statement of the co-accused, there are statements of bank employees, who have stated that the forged NOC was submitted by the present Applicant. It is further submitted that there is a material to show that the Applicant has received an amount of Rs.1,19,05,000/-. It is submitted that considering the nature of crime, the Applicant may not be released on anticipatory bail.

7. I have perused the papers of investigation. According to the Applicant himself he received an amount of Rs.60,00,000/- from co-accused Mr. Jayesh Majethia. There is nothing to show that the said amount was paid to the Applicant towards his professional fees. I have perused the statement of Utkarsh Ashok Tawade, Area Sales Manager of Axis Finance Limited. He has stated in his statement that the forged consent NOC was submitted by the present Applicant. Considering the overall facts and circumstances, I am not inclined to release the Applicant on anticipatory bail. Hence, the present Anticipatory Bail Application is rejected.

(N.R. BORKAR, J.)