

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

ANTICIPATORY BAIL APPLICATION NO.3300 OF 2025

Jaseem Moosa Pallikkalakath ... Applicant
V/s.
The State of Maharashtra & Anr. ... Respondents

**WITH
ANTICIPATORY BAIL APPLICATION NO.3424 OF 2024**

Shamsher Moosa Pallikalath ... Applicant
V/s.
The State of Maharashtra & Anr. ... Respondents

Mr. E. A. Sasi a/w Bhagyashri Mangale for the Applicant in both ABAs.
Mr. S. R. Agarkar, APP for Respondent No.1-State in both ABAs.
Mr. Sandip Mishra a/w Madhura Mulay for Respondent No.2 in both ABAs.
PSI Chavan, Wagle Estate PS is present.

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CORAM : N.R. BORKAR, J.
DATE : 06TH FEBRUARY 2026

PC. :

1. As both these Applications for anticipatory bail are arising out of one and the same crime, they are being disposed of by this common order.
2. The Applicants in both these Applications are apprehending their arrest in Crime No.1092 of 2024 registered with Wagle Estate Police Station for the offences punishable under Sections 420, 406 of the Indian Penal Code, 1860.

3. The first informant wanted to purchase Toyota Fortuner vehicle. It is the case of the prosecution that the present Applicants and other co-accused defrauded the first informant to the tune of Rs.27,00,000/- on the pretext that they could arrange the Toyota Fortuner vehicle at a discounted rate of Rs.34,00,000/-. There are allegations of impersonation also.

4. I have heard Learned Counsel for the Applicants, Learned APP for Respondent No.1-State and Learned Counsel for Respondent No.2.

5. Learned Counsel for the Applicants submits that the amount in question was paid to the Applicant in Anticipatory Bail Application No.3300 of 2025 as a hand loan. It is submitted that he has repaid the amount of Rs.16,00,000/-. It is submitted that suppressing the said fact, false FIR came to be lodged. It is submitted that there are no other criminal antecedents against the present Applicants. It is further submitted that there is no need of custodial interrogation and the Applicants are ready and willing to cooperate in the investigation.

6. On the other hand, Learned APP for Respondent No.1-State and Learned Counsel for Respondent No.2 submit that the Applicants are involved in a serious case of cheating by impersonation. It is submitted that considering the nature of crime, the Applicants may not be released on anticipatory bail.

7. I have perused the documents on record. *Prima-facie* there appears to be substance in the submission of the Learned Counsel for the Applicant as it appears that the first informant has received an amount of

Rs.16,00,000/- from the Applicant in Anticipatory Bail Application No.3300 of 2025 and the first informant has not given any explanation about the said amount. There are no other criminal antecedents against the present Applicants. Considering the overall facts and circumstances of the case, I am inclined to release the Applicants on anticipatory bail on certain conditions. Hence, the following order:-

ORDER

- i. The Anticipatory Bail Applications are allowed.
 - ii. In the event of the arrest of the Applicants in Crime No.1092 of 2024 registered with Wagle Estate Police Station for the offences punishable under Sections 420, 406 of the Indian Penal Code, 1860, they shall be released on bail on furnishing a PR Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each with one or two sureties in the like amount.
 - iii. The Applicants shall attend the concerned Police Station as and when called by the investigating officer and shall co-operate in the investigation.
8. The Anticipatory Bail Applications are disposed of in the aforesaid terms.

(N.R. BORKAR, J.)