

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3626 OF 2025**

Bijal Jay Mukhi and Anr

...Applicants

V/s.

The State of Maharashtra

...Respondent

**WITH
INTERIM APPLICATION 1005 OF 2026**

Mr. Manohar Ramsinghani, a/w Adv. Kantilal Behwal, a/w Adv. Uday Shah, Adv. Rajiv T., i/b Adv. Rashmi Joshi, Advocate for the Applicants.

Ms. S. G. Talhar, APP for the Respondent/State.

Adv. Eshaan Saroop i/b Adv. Noor Alam, Advocate for Intervener.

**CORAM : N.R. BORKAR, J.
DATE : 02.04.2026.**

P.C. :

1. This is an application for Anticipatory Bail.
2. The applicants are apprehending their arrest in Crime No. 697 of 2025 registered at Naupada Police Station, for the offences punishable under Sections 316(2), 318(4) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. The first informant is the husband of applicant No.1. The applicant No.2 is the mother of applicant No.1. The allegations against the applicants are of criminal breach of trust and cheating.
4. This Court on 02.01.2026 passed the following interim order :

"1. Heard Mr. Manohar Ramsinghani, learned Counsel appearing for the Applicants and Mr. Ashok Gavai, learned A.P.P. for the Respondent-State.

2. By the present Anticipatory Bail Application, the Applicants seeks pre-arrest bail in connection with the F.I.R. No.0697 of 2025, registered on 3rd November 2025, with the Naupada Police Station, Thane, under the provisions of 316(2), 318(4) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 ("BNS").

3. The case of the Complainant is that the during the period from 8th June 2016 to 28th December 2024, when the Complainant was lodged in Ahmedabad Central Prison, Sabarmati, Gujrat, his wife Smt. Bijal Jay Mukhi and her mother Smt. Jasmine Bharat Adalja, got Smt. Jasmine Bharat Adalja, appointed as Additional Director in M/s Infinity Logistics Private Limited. Thereafter they in collusion with each other, sold the property and thus, have duped the Complainant.

4. Mr. Manohar H. Ramsinghani, learned Counsel for the Applicants states that the agreement in question, is signed by the Applicants themselves in their own capacity. He states that the appointment of the Applicant No.2 as Additional Director, is not challenged by the Complainant before the Competent Authority.

5. Mr. Ramsinghani, states that the transfer was effected by the Applicants in the capacity as Directors of M/s Infinity Logistics Private Limited, hence, there is no question of commission of offence under Sections 316(2) and 318(4) of the BNS, arises.

6. Mr. Ashok Gavai, learned A.P.P. for the Respondent-State, on instructions from Mr. Dattatray Yadav, Asst. Police Inspector, seeks time to take instructions and file an Affidavit, if required. The Complainant was also present in the Court and he also seeks time to engage an Advocate. The Complainant is identified by the Officer, Mr.

Dattatray Yadav, who is present in Court.

7. I have perused the papers. The premises in question were transferred by the Applicants in the capacity as Directors of M/s Infinity Logistics Private Limited. There appears to be a dispute between the parties regarding directorship of the Company. No documents were pointed out to me, which show that the Applicants are not Directors of the Company.

8. In this premise, the Applicants need to be protected for a brief period till the learned A.P.P. receives the instructions. Hence, the following Order is passed.

ORDER

i. In event of arrest of the Applicants in connection with offence registered under Sections 316(2), 318(4), read with 3(5) of the BNS, vide F.I.R. No.0697 of 2025 dated 3rd November 2025, registered with Naupada Police Station, Thane, the Applicants be released on executing PR bond of Rs.25,000/- each with one or more sureties of the like amount.

ii. The Applicants shall attend the Naupada Police Station, Thane, on 07/01/2026 and 14/01/2026 from 10:00 a.m. to 2:00 p.m. and thereafter as and when called by the I.O.

iii. The Applicants shall not tamper with the evidence/witnesses in any manner.

*9. To enable to learned A.P.P. to take instructions, list the matter on **19th January, 2026** for further consideration."*

5. The learned counsel for the applicants submits that pursuant to the above order the applicants have attended the concerned police station.

6. I have heard the learned counsel for the applicants, learned APP for the respondent/State and the learned counsel for the first informant.

7. *Prima-facie* from the documents placed on record, the dispute between the parties appears to be of a civil nature. In that view of the matter, the interim order passed by this Court dated 02.01.2026 is hereby confirmed.

8. The Application is disposed of in the aforesaid terms.

9. Pending Interim Application stands disposed of.

[N.R.BORKAR, J.]