

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 1146 OF 2026

Bharat Goel. ... Petitioner
Versus
State of Maharashtra & Anr. ... Respondents

Mr. Tukaram Shendge (through V.C.), Advocate for Petitioner.
Mr. P.P. Malshe, APP for Respondent-State.
PSI- Shri Nitin Kamble, Amboli Police Station.

CORAM: N. J. JAMADAR, J.
DATE : 12th MARCH 2026

P.C.:

- 1.** Heard the learned Counsel for the Petitioner.
- 2.** The challenge in this Petition is to an order dated 2nd December, 2024 whereby the learned Additonal Session Judge, City Civil & Sessions Court, Borivali Division, Dindoshi released the Respondent No. 2 – Accused on bail. The learned Additional Sessions Judge found that the transaction between the parties was predominantly of civil nature.
- 3.** The learned Counsel for the Petitioner would urge that the said finding is prima facie incorrect. It was submitted that, huge

amount invested by the Petitioner - first informant could not be recovered during the investigation and, therefore, the Respondent No. 2 could not have been enlarged on bail.

4. The Respondent No. 2 is arraigned for the offences punishable under sections 406 and 420 of the Indian Penal Code, 1860. First and foremost, both these offences cannot be committed in the same set of transaction. Secondly, either of the offences does not entail punishment which exceeds seven years. Thirdly, the Investigating Officer have had ample opportunity to conduct investigation. The Respondent No. 2 came to be arrested on 9th November, 2024 and was released on bail on 2nd December, 2024. Lastly, it is trite, there is significant difference between the initial rejection of prayer of bail and the cancellation of bail already granted. The personal liberty secured by an order of the Court, can not be lightly interfered with, unless very strong and substantial reasons are demonstrated. No such case is made out.

5. Hence, the Writ Petition stands dismissed.

[N. J. JAMADAR, J.]