IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 284 OF 2026

Chaitanya Santosh Koli … Applicant
vs.
The State of Maharashtra … Respondent

Mr. Saurabh Butala a/w. Mr. Sahil Mhatre for applicant.

Ms. Veera Shinde, APP for respondent-State.

Mr. Sachin G. Pardeshi, PSI, Khandeshwar Police Station, Navi Mumbai.

CORAM : MANISH PITALE, J
(In Chamber)
DATE : 07th APRIL, 2026

P.C. :

. Heard Mr. Butala, learned counsel for the applicant and Ms. Shinde, the learned APP for the respondent-State.

2. This application is listed before this Bench in the light of withdrawal of Anticipatory Bail Application No.1887 of 2024 filed by this very applicant on 16.07.2024, after arguments had taken place for some time.

3. The applicant has approached this Court apprehending arrest in connection with FIR No.0132 of 2024 dated 29.04.2024 registered at Khandeshwar Police Station, Navi Mumbai for offences under Sections 406, 420, 465, 467, 468 and 471 read with Section 120-B of the Indian Penal Code, 1860. The co-accused persons are the parents of the applicant and a person alleged to be a developer.

4. According to the first informant, the mother of the applicant, in connivance with the co-accused persons, conspired to lure the first

informant into parting with substantial amounts of money and also her gold ornaments for the purpose of investing in property. It is the case of the first informant that she came in contact with the applicant's mother in a beauty parlour and she was lured into making huge investments. Subsequently, she realised that she had been cheated and in that context, the aforementioned offences have been registered.

5. It is brought to the notice of this Court that the applicant's mother was arrested on 09.07.2024 and she was granted regular bail on 04.03.2025. The applicant's father, also a co-accused, was subsequently released on 03.05.2025.

6. The applicant has been evading arrest. This Court finds that although on 16.07.2024, the earlier anticipatory bail application filed by the applicant was dismissed as withdrawn in the aforementioned manner, the applicant has not been arrested till date. This is either a case of gross incompetence on the part of the investigating officer and his team or the police is deliberately not arresting the applicant and perhaps extracting its price from the applicant for ensuring his freedom during the course of investigation. In either case, this is a sad reflection on the role of police in investigation into such matters.

7. On the next date of hearing, after inputs from the learned APP, this Court will consider issuing appropriate directions in the context of the role of police in this case.

8. Be that as it may, the state of affairs today is that the investigation was completed and charge-sheet was filed as far back as on 05.09.2024. The learned counsel for the applicant has invited attention of this Court to certain relevant facts. A perusal of the

documents on record shows that while the first informant, as also two other aggrieved investors, in their initial complaints lodged with the police, did not make any specific allegation against the applicant as regards his role in the present case and the focus of the allegations was against his mother, in their statements recorded by the police, for the first time, they have named the applicant and attributed certain role to him. This material was not available with the applicant, when the earlier application was filed before this Court and it came on record with the charge-sheet.

9. A perusal of the statement of the first informant, which led to registration of FIR, indeed shows that it is in the aforesaid statement that an allegation has been levelled against him to the effect that gold ornaments of the first informant were handed over to him, as a part of the process of allurement undertaken by the co-accused i.e. applicant's mother.

10. *Prima facie*, this Court finds substance in the contention raised on behalf of the applicant that the first informant and the aforesaid other aggrieved investors, in the first instance, when they approached the police, did not name the applicant as a person involved in their allurement, due to which they suffered considerable financial loss.

11. Although the learned APP submitted that the custody of the applicant is necessary for unearthing the conspiracy and also to reveal the money trail, this Court finds that if the police did not find it necessary to arrest the applicant for the past almost 2 years, so long as the applicant appears before the Investigating Officer and co-operates with the investigation, ad-interim relief can be granted till the next date in the present application.

12. In view of the above, there shall be interim relief in the following terms:

(a) Till the next date, in the event the applicant is arrested in connection with FIR No.0132 of 2024 dated 29.04.2024 registered at Khandeshwar Police Station, Navi Mumbai, he shall be released on bail on furnishing PR Bond of ₹ 50,000/- and one or two sureties in the like amount to the satisfaction of the trial court;

(b) the applicant shall appear before the Investigating Officer on 09.04.2026 and thereafter, as and when required;

(c) the applicant shall co-operate with the investigation, including providing necessary documents as may be called for by the Investigating Officer;

(d) the applicant shall not influence the informant, witness or any person concerned with the case and he shall not tamper with the evidence.

13. Needless to say, violation of any of the aforesaid conditions may result in this order being cancelled.

14. The learned APP is expected to produce the case diary before this Court on the next date of listing.

15. List the application for further consideration on 30.04.2026 at 02:40 p.m. in Chamber.

(MANISH PITALE, J)

Priya Kambli