

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 474 OF 2026

Subbaraman G. Anand Vijayannur : Applicant
Versus
The State Of Maharashtra : Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO.477 OF 2026

Uma Subbaraman : Applicant.
Versus
State of Maharashtra : Respondent.

Mr. Sudeep Pasbola, learned Senior Advocate, Mr. Shubham Kadam a/w Advocates Kiran Jadhav, Yash Kamble i/by Randhir Kale for the Applicant.

Mrs. Anuja Gotad, APP for the Respondent/State.

Mr. Aabad Ponda, Senior Advocate a/w Mr. Chittesh Dalmia for the Intervener /First Informant.

PSI – Harish Kamble, EOW, Banking-3, Unit 11 present.

PSI Shekhar Pawar, R. A Kidwai Marg Police Station present.

CORAM : ASHWIN D. BHOBE, J.

DATED : 05 MAY 2026

PC:-

1. Mr. Sudeep Pasbola, learned Senior Advocate for the

Applicants and Mr. Aabad Ponda, learned Senior Advocate for the purchasers / Interveners in both Applications, state that these Applications arise out of Crime No. 100 of 2025, registered with the Economic Offence Wing, Banking Unit-3, Mumbai. They therefore request that these Applications be taken up together and disposed of by a common order. Mrs. Anuja Gotad, learned APP appearing in these Applications for the Respondent/State, consents to the request made on behalf of the Applicants. At the request of the parties, these Applications are taken up together.

2. Mr. Sudeep Pasbola, learned Senior Advocate for the Applicants, state that Applicant (Subbaraman G Anand Vilayannur) in Anticipatory Bail Application No.474 of 2026 is the Accused No.1 in Crime No. 100 of 2025 and his wife Applicant (Uma Subbaraman) in Anticipatory Bail Application No. 477 of 2026 is Accused No.2 in Crime No. 100 of 2025. Applicants are the Directors of B. P Gangar Construction Pvt. Ltd.

3. By the present Applications, the Applicants seek pre-arrest bail, apprehending arrest in Crime No. 393 of 2025, which was initially registered at the R. A. Kidwai Marg Police Station and subsequently transferred to the Economic Offence Wing, Banking Unit-3, Mumbai, for investigation and re-registered as Crime No. 100 of 2025. The offences charged in Crime No. 100 of 2025 are punishable under Sections 406 and 420 read with Section 34 of the Indian Penal Code, 1860.

4. Mr. Sudeep Pasbola, learned Senior Advocate for the Applicants, states that the Intervener/Informant purchased a 2BHK flat in the building “SKYE 31”, constructed by B. P. Gangar Construction Pvt. Ltd. (hereafter “said Company”). The Applicants have taken over said Company. The allegations in Crime No. 100 of 2025 are that, despite payment of the purchase consideration and execution of an Agreement for Sale, possession of the flat was not handed over.

5. Mr. Sudeep Pasbola, learned Senior Advocate for the Applicants, submits that upon registration of Crime No. 100 of 2025, the Applicants entered into a settlement with the Interveners/ purchasers by executing a Settlement Deed dated 22.04.2026, by which the said Company/Applicants has assured compliance with its obligations towards the Interveners /purchasers. He tenders a photostat copy of the Settlement Deed dated 22.04.2026 and requests that the same be taken on record. At the request of Mr. Sudeep Pasbola, the photostat copy of the Settlement Deed dated 22.04.2026 executed by the said Company and the Association of Persons having an interest in the project of the said Company is taken on record and marked as “X” for identification. He submits that the Applicants shall abide by the Settlement Deed dated 22.04.2026.

6. Mr. Aabad Ponda, learned Senior Advocate appearing for the Interveners who are the purchasers and members of the Association who have signed the Settlement Deed. He

submits that the dispute which led to the registration of the complaint and Crime No. 100 of 2025 was regarding the Applicants/said Company's failure to hand over possession of the flats. He, on instructions from the Intervenor, submits that the dispute between the Applicants/said Company and Interveners/purchasers has been amicably resolved and the parties have entered into settlement terms as disclosed in the Settlement Deed (X). Based on the settlement, Mr. Aabad Ponda, learned Senior Advocate, submits that the dispute is resolved and that the Interveners/purchasers do not object to the grant of Anticipatory Bail to the Applicants.

7. Ms. Anuja Gotad, learned APP for the Respondent/State, on instructions from the Investigation Officer, states that custodial interrogation of the Applicants is not required. She, however, requests that conditions be imposed on the Applicants to cooperate with the investigation and to appear before the Investigation Officer as and when required.

8. In view of the statement made by Ms. Anuja Gotad, learned APP for the Respondent/State, that the Applicants are not required for custodial interrogation, the statements made by Mr. Sudeep Pasbola, learned Senior Advocate for the Applicants and Mr. Aabad Ponda, learned Senior Advocate appearing for the Interveners/purchasers, as recorded hereinabove and considering the subject matter of Crime No. 100 of 2025, both these Applications are allowed on the following conditions:-

- (a)** In the event of arrest of the Applicants in Crime No. 100 of 2025 registered with the Economic Offence Wing, Banking Unit-3, Mumbai, the Applicants shall be released on bail on each Applicant furnishing a PR bond in the sum of Rs. 1,00,000/- (One lakh only) with one or two local sureties in the like amount.
- (b)** Applicants shall report to the Investigating Officer, Economic Offence Wing, Banking Unit-3, Mumbai, as and when their presence is required before the Investigating Officer.
- (c)** Applicants shall not directly or indirectly make any inducement, threat or promise to any person/s acquainted with the facts of the case to dissuade such person/s from disclosing the facts to the Court or any police officer.
- (d)** Applicants shall not tamper with evidence in any manner.
- (e)** Applicants shall provide the Investigation Officer Economic Offence Wing, Banking Unit-3, Mumbai with their residential address along with proof, their contact number, email and must inform the Investigating Officer of any changes to this information from time to time.

- (f)** Applicants shall cooperate with the Investigating Officer in the process of investigation of the present Crime.

9. Anticipatory Bail Application No. 474 of 2026 and Anticipatory Bail Application No.477 of 2026 are disposed of.

(ASHWIN D. BHOBE, J.)