

S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 959 OF 2026

1. Pranali Karan Patil
2. Pratik Goraksh @ Nana Kawade ... Applicants

VERSUS

The State Of Maharashtra and Anr. ... Respondents

Mr. Sujay H. Gangal a/w. Mr. Swaraj M. Savant and Mr. Harshal N. Mule,
Advocate for Applicants.

Mr. P.P.Jadhav, APP for Respondent-State.

Mr. Sachin Khandagale, Advocate for the Intervenor.

Dr. Dongare A.M., API, Bavdhan Police Station, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 11th JUNE, 2026.

P.C. :

1. The applicants apprehend arrest in C.R.No. 594 of 2023 registered with Hinjewadi Police Station for the offences punishable under Sections 420, 404, 406, 381, 468, 471 and 120(B) of the Indian Penal Code, 1860 (for short "IPC").

2. It is prosecution's case that accused No.1 was working as driver and caretaker with father of first informant. It is alleged that on 06.08.2022, father of the first informant fell down and sustained head injuries. The accused No.1 was taking care of him. It is alleged during that period, the accused No.1 got executed one Will Deed in Marathi

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language and transferred flat and car of the deceased in his name. It is alleged that the deceased did not know Marathi language. The applicant No.1 is the wife of accused No.1 and applicant No.2 is the brother-in-law of accused No.1. It is alleged that lakhs of rupees were transferred in the account of applicant No.1 by accused No.1 during the said period and when accused No.1 got arrested, the applicant No.2 hurriedly removed some articles from the bank locker.

3. It is contention of learned counsel for the applicants that applicants have falsely implicated in this case. The main allegations are against the accused No.1. The applicant No.1 was doing parlour business and she had independent source of income. There are no documents produced on record to show involvement of the applicants in the crime. The crime was registered in the year 2023. So after three years, arrest of the applicants is not required. The co-accused have been arrested and have been released on bail. Considering the allegations against the applicants, their custodial interrogation is not required and requested to allow the application.

4. It is contention of learned APP and learned counsel for respondent No.2 that in the year 2023, accused No.1's Anticipatory Bail Application was rejected by this Court. It was challenged before the Hon'ble Apex Court and Hon'ble Apex Court had given liberty to the

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Investigating Officer for seeking custody of the accused No.1. Accordingly, the Trial Court granted 14 days police custody and during investigation, the role of the present applicants are revealed. Learned APP further submitted that lakhs of rupees were transferred by accused No.1 to the bank account of applicant No.1. Though, she was running the beauty parlour but her income was not in lakhs of rupees. Learned APP further submitted that applicant No.2 has bank account in Janaseva Co-operative Bank. Accused No.1 had gone with the applicant No.2 in the said bank before his arrest. There is CDR which shows that after the arrest of the accused No.1, applicant No.2 went to the bank and took out all articles kept in the bank locker. Learned APP further submitted that after the death of the deceased, his car was transferred in the name of accused No.1. The statement of RTO agent is recorded. In his statement, he has stated that accused No.1 and applicant No.2 had been to his office for said transfer on 26.04.2023, i.e. on second day after death of the father of the first informant. On that day, as per the procedure, the OTP sent on the registered mobile number of car owner i.e. deceased. When the said procedure was followed, the accused No.1 called on the mobile phone of the deceased. At that time, one lady spoke to him and gave the OTP and the said lady was applicant No.1. It shows active involvement of the applicants in the crime. Investigation is in progress. Chargesheet has not

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been filed. Hence, custodial interrogation of the applicants is required and requested to reject the application.

5. I have heard all learned counsel. Perused FIR and documents produced on record. It is alleged that accused No.1 who was driver and caretaker of the deceased got executed Will Deed of transfer of flat and car of the deceased in his name. It appears from record that lakhs of rupees were transferred during that period to the account of applicant No.1 from accused No.1 and applicant No.2.

6. It is contention of learned counsel for the applicants that the said amounts were of sugarcane, beauty parlour and transferred from the parents. The bank statement produced on record shows the amounts were transferred from accused No.1 and applicant No.2. So, at *prima facie* stage, it cannot be considered as agricultural income or parlour income as it was not from any customer or parents in many transactions. The accused No.1 was working as driver on the salary of Rs.16,000/- but lakhs of rupees were transferred from his account and applicant No.2's account to bank account of applicant No.1. It shows involvement of all the applicants in present crime.

7. It appears from record that after arrest of accused No.1, applicant No.2 visited his bank locker, removed all articles lying therein hurriedly. After the death of the deceased, his car was transferred in the

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name of the accused No.1. The statement of witness Mr. Kishor Jadhav, who is RTO agent shows that on 26.04.2023, accused No.1 and applicant No.2 had been to his office and requested for transfer. He told them that two OTPs will be sent on the mobile phone of original owner of the car and in whose name the car is being registered i.e. accused No.1. He further stated that when OTP was sent on the mobile number of the deceased, then accused No.1 called on said number. The said call was received by one lady and she gave OTP and on that basis, the car was transferred in the name of accused No.1. He further stated that the said lady may be applicant No.1.

8. It is contention of learned counsel for the applicants that allegations of picking up calls on the mobile phone of the deceased is not clear. In my view, accused No.1 and applicant No.2 were with the RTO agent at the time of sending OTP and accused No.1 had called on the mobile phone of the deceased. The deceased was staying alone. So, there was no other person in his house, as well as at that time he was no more. It shows applicant No.1 received the call on the mobile phone of the deceased and gave OTP. From the documents produced on record shows the applicants were actively involved in present crime. Investigation is in progress, yet chargesheet has not been filed. Considering these facts, custodial interrogation of the applicants is required and I pass following

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order:

ORDER

(i) The Anticipatory Bail Application is rejected.

9. Learned counsel for the applicants prayed for continuation of interim relief.

10. As this Court has passed the order on merit, prayer is rejected.

(SHIVKUMAR DIGE, J.)