



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION [B.A.] NO. 1310 OF 2025

Sachin S/o Dnyaneshwar Dahake

-- VERSUS --

State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. S.P. Bodalkar, Advocate a/w Mr. G.S. Gour, Advocate for
the Applicant.

Mr. A.G. Mate, A.P.P. for the Non-applicant/State.

CORAM : M.M. NERLIKAR, J.

DATE : JANUARY 12, 2026.

Heard.

2. The present application is filed seeking regular bail in Crime No.482/2022 for the offence punishable under Section 420 of the Indian Penal Code, 1860, and Section 3 of the Maharashtra Protection of Interest of Depositors (MPID) Act, 1999, registered with Beltarodi Police Station, District Nagpur.

3. The allegations against the present applicant is that he has duped people by compelling them to invest in his company, guaranteeing double returns after six months. It appears from the record that initially the charge was framed and it was challenged before this Court. This Court has quashed and set aside the order of framing charge and later

on, the charge was framed only under Section 420 of the IPC and under Section 3 of the MPID Act and charge under Section 406 of the Indian Penal Code was deleted.

4. The learned counsel appearing for the applicant submits that the Supreme Court in catena of judgments has held that the speedy trial is the fundamental right of the accused persons. The accused persons cannot be languishing in jail for an indefinite period. He further submits that since the applicant is in jail from 14/01/2023, till today, almost three year are over and only charge is framed. He further submits that maximum punishment under Section 420 of IPC is 7 years and under Section 3 of MPID is 6 years and he has already undergone almost half of that period, and therefore, request was made to release the applicant on bail.

5. On the other hand the learned A.P.P. vehemently opposes the application on the ground that applicant is actively involved in the crime. His earlier bail application was rejected on merits by this Court by an order dated 18/12/2023. He further submits that there is ample evidence against the present applicant that he has duped and cheated several persons and misappropriated an amount of Rs.1,24,00,000/-. The property of the present applicant is seized and so far as the delay caused on

the part of the prosecution is concerned, this Court has stayed the proceedings for nearly 1 year. Therefore, the delay is not attributable to the prosecution. Lastly, it was submitted that there is no merit in the application and the same deserves to be rejected.

6. Upon consideration of the rival submission, it appears that, admittedly, the applicant is in jail from 14/01/2023. His earlier bail application was rejected on merits by this Court by an order dated 18/12/2023. It appears that earlier the charges were framed, and thereafter, order of framing of charge is challenged before this Court, wherein this Court has quashed and set aside the same, and thereafter, the charge was framed only under Section 420 of IPC and Section 3 of the MPID. The Maximum punishment for Section 420 of IPC is 7 years and for Section 3 of MPID is 6 years. Considering, the fact that the applicant has undergone imprisonment for almost half of the aforesaid period, I am inclined to grant bail.

7. The observations of this Court are *prima facie* in nature. The Trial Court shall not be influenced by the observations of this Court and the observations are restricted to this bail application only. In this view of the matter, following order is passed:-

ORDER

- (i) The Criminal Application is **allowed**;
- (ii) The applicant/accused (Sachin S/o Dnyaneshwar Dahake) be released on regular bail in connection with Crime No.482/2022 registered with Beltarodi Police Station, for the offence punishable under Section 420 of the Indian Penal Code, 1860, and under Section 3 of the Maharashtra Protection of Interest of Depositors (MPID) Act, 1999, on his furnishing a P.R. bond of Rs.1,00,000/- (Rupees One Lakh) with two solvent sureties in the like amount;
- (iii) The accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence;
- (iv) The accused shall provide his residential address and cell number to Police Station concerned and shall not change his place of residence without prior intimation to the Investigating Agency;
- (v) The accused shall attend each and every date of trial regularly. If he fails to attend the trial for two consecutive dates, or fails to comply with the aforesaid conditions, his default would entail the State to ask for cancellation of bail.

[M.M. NERLIKAR, J]