



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

CRIMINAL APPLICATION (ABA) NO. 709 OF 2025

(Shri Mahesh Kishor Nasare Vs. State, thr PSO, Nagpur City Cyber Police Station,
Nagpur)

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

Court's or Judge's orders.

Mr. Ajit Upadhyay, Advocate for applicant.
Mr. M.J. Khan, APP for non-applicant/State.
Mr. Amol Jaltare, Advocate to assist the prosecution.

CORAM : M.W. CHANDWANI, J.

DATE : 20.02.2026.

Heard.

2. The applicant is seeking anticipatory bail in connection with Crime No. 67/2025, registered with Nagpur city Cyber Police Station, for the offence punishable under Sections 314, 316, 319(2) 318(4) of the Bharatiya Nyaya Sanhita, 2023 and Sections 66, 66C of Information Technology Act, 2000.

3. Heard the learned counsel for the applicant and the learned APP for the non-applicant/State. I have perused the case diary.

4. On perusal of the case diary, it appears that the applicant was working from home as Sales Executive, on commission basis, in The Spices Indiano International LLP

and used to handle the documents of sale and purchase of the company. From 20.5.2025, he suddenly stopped working with the company. It was on 26.5.2025 that the company came to know that the data of the last three month's of the company was deleted. When the laptop of the company was returned by the applicant, it was revealed from the laptop that the applicant has deleted the data and saved it somewhere else. Thus, the company came to know that the applicant has stolen the data. Therefore, on the complaint of Mr. Rahul Awasthi on behalf of the company, the aforesaid offences came to be registered against the applicant.

5. Learned counsel for the applicant submitted that the applicant is a scapegoat, who just because one of the person of the company is being prosecuted by the another company in England. It is further submitted that the applicant, while on ad interim bail has cooperated with the investigation. The mobile phone, laptop, hard disk and pen drive have already been seized from the applicant and therefore, custodial interrogation of the applicant is not required.

6. Learned APP also submits that since all the relevant articles are recovered, custody of the applicant is not required. The reply filed by the learned APP is also on the same lines, whereas, the learned counsel appearing for the complainant submitted that various aspects of the crime are required to be investigated such as whether the stolen data

is sold to another company. Hence, he submitted that custody of the applicant is necessary.

7. It appears that the applicant was protected by ad interim order dated 18.9.2025 and under the dictum of this Court, the applicant has attended the police station. It further appears that on 14.10.2025, the mobile phone, laptop, hard disc and pen drive have already been seized from the applicant under panchanama. Nothing is required to be seized. That apart, considering the nature of the offence and punishment prescribed, coupled with the fact that no custodial interrogation is required, a case is made out for confirmation of the ad interim order. Hence, the following order is passed:

- i) Ad interim order dated 18.09.2025 is hereby confirmed on the same terms and conditions except condition (iv).
- ii) The applicant shall attend the concerned Police Station as and when directed by the Investigating Officer and cooperate with the investigation.

JUDGE