



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

CRIMINAL APPLICATION (ABA) NO. 911 OF 2025

Shivprasad Dattatraya Tikhe

Vs.

State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S. D. Chande, Advocate for applicant.
Shri N. R. Rode, APP for non-applicant/State.
Shri N. R. Raut, Advocate for assist to prosecution.

CORAM :- M. W. CHANDWANI, J.

DATED :- 04.03.2026

Heard.

2. The applicant seeks anticipatory bail in connection with Crime No. 402/2025 registered with Police Station Deulgaon Raja, District Buldhana for the offence punishable under Section 318(4) of the Bhartiya Nyaya Sanhita, 2023.

3. Heard the learned counsel for the applicant as well as the learned APP for the State and learned counsel assisting the prosecution.

4. Perusal of the case-diary reveals that complainant- Dyaneshwar Shelke lodged a complaint stating that he had been approached by the applicant and on 30.11.2024, the applicant visited his village and informed him that he is the provider of Ayushi Agrotech

Company (for short, “the Company”). If seeds of sweet corn supplied by the Company are sown in his field, then there will be agricultural produce to the extent of 40 to 45 quintals. The Company will not charge for the seeds and will purchase all the agricultural produce. In case if no sweet corn is produced, then the Company will provide compensation @ Rs.70,000/- per acre. Hence, the complainant agreed to the proposal offered by the applicant on behalf of the Company. The other villagers were witness to this; rather, they also agreed to the said offer of the Company.

5. It is alleged that the complainant and other villagers sowed those seeds in their respective fields. However, when they called the applicant for guidance, he did not turn up and hence, the complainant and other villagers spent the amount on the crops but no sweet corn was produced by those seeds. When they asked the applicant for the compensation which was agreed by the applicant, he avoided them. Therefore, the aforesaid offence came to be registered against the applicant.

6. It appears that the allegation against the applicant is that he did not co-operate/guide when the complainant and other villagers had sown the sweet corn seeds. When the expected result did not turn up, the applicant did not honour his promise of giving compensation @ Rs.70,000/- per acre. It also appears

that no charges were paid by the complainant for purchasing the seeds.

7. Be that as it may, the allegation against the complainant is only of breach of promise and nothing is required to be seized from the applicant. Considering the nature of allegations against the applicant, custodial interrogation of the applicant may not be required. The offence alleged is punishable with up to 7 years. Under the dictum of this Court, the applicant has attended the concerned Police Station and co-operated in the investigation.

8. Hence, considering the submission and the reasons mentioned above, a case is made out for confirming the *ad-interim* protection granted to the applicant. Hence, the following order:-

- i) The *ad-interim* protection granted to the applicant vide order dated 22.01.2026 is hereby confirmed on the same terms and conditions except the condition mentioned in para 5.
- ii) The applicant shall attend the concerned Police Station as and when called by the Investigating Officer and shall co-operate in the investigation.
- iii) The application is disposed of accordingly.

(M. W. CHANDWANI, J.)