



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

CRIMINAL APPLICATION (ABA) NO.939 OF 2025

Mohammad Aqib Mohammad Arif Vs. 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.

Shri Gurpreet Singh Chandok, Advocate for applicant.
Ms M.R. Kavimandan, AGP / APP for respondent/State.

CORAM : M.W. CHANDWANI, J.

DATE : 17.02.2026.

1. The applicant is apprehending his arrest in connection with Crime No.411/2024 registered with Police Station, Jaripatka, Nagpur for the offence punishable under Section 489-B of the Indian Penal Code (for short "IPC").

2. Heard the learned counsel for the applicant as well as learned the APP for the non-applicant/State.

3. Having gone through the case diary, it is revealed that the applicant is the person who deposited an amount of ₹91,500/- at the instance of the main accused Navab Khan through Cash Deposit Machine (CDM) Centre of Kotak Mahindra Bank, Jaripatka Branch, Nagpur. However, the CDM accepted ₹88,000/- and rejected seven notes of ₹500/- denomination. Therefore, he contacted the bank officials, who told him to lodge a report. However, no report came to be lodged by the applicant and therefore, the officials of Kotak Mahindra Bank lodged the report.

4. It is revealed that an amount of ₹75,000/- has been transferred by the applicant to the account of the main accused Navab Khan.

5. Learned counsel for the applicant vehemently submitted that the applicant does not have knowledge about counterfeit currency notes and therefore, there is no *mens rea* on his part. He submitted that the applicant himself went to the bank for checking as to why less amount got credited in his account inspite of depositing ₹91,500/-. According to him, the applicant has cooperated in the investigation and therefore, custodial interrogation of the applicant is not required.

6. Learned Additional Public Prosecutor for the non-applicant/State opposed the application on the ground that the offence under Section 489-B of the IPC is a serious offence of counterfeit currency. Therefore, custodial interrogation of the applicant is required, to investigate the crime.

7. It appears that the amount was given by main accused Navab Khan to the present applicant to be deposited in his account. Whether he had common intention is a matter of trial. Counterfeit currency notes are already recovered. Other than these allegations, there is no allegation against the present applicant. Therefore, investigation as regards to these allegations is almost

completed and hence, custodial interrogation of the applicant may not be required.

8. As of now, the applicant under the directions of this Court has attended the concerned police station and cooperated in the investigation. Hence, a case is made out for confirmation of the interim order dated 23.12.2025. Accordingly, the order dated 23.12.2025 stands confirmed except condition (v).

9. The applicant shall attend the concerned police station as and when directed by the investigating officer.

10. With this, the application stands disposed of.

(M.W. Chandwani, J.)

Wagh