



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Criminal Application (ABA) No.977/2025

Shish V State of Maharashtra through PSO PS Malegaon, Taq. Malegaon, District Washim)

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

Court's or Judge's orders

Mr. R.S. Kurekar, Advocate for applicant.
Mr. Bissa, APP for State.

CORAM : M.W. Chandwani, J.

DATE : 23-03-2026.

Heard the learned Counsel for the applicant and the learned APP for the non-applicant/State. Perused the case dairy.

2. The applicant seeks anticipatory bail in connection with Crime No.16/2025 registered with Police Station Malegaon, District Washim for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

3. The allegations against the applicant are that the complainant was seeking employment as a Field Officer with Shiv Chhatrapati Sewabhavi Sanstha, Sawangi (Murtijapur), Taluka Aundha Nagnath, District Hingoli, with a proposed monthly salary of ₹28,500/- along with petrol allowance of ₹3,000/-. As a part of the said employment, the complainant was tasked with selecting shopkeepers for the purpose of supplying groceries at discounted rates. Accordingly, the complainant collected a total amount of ₹2,40,000/- from various shopkeepers. However, when it came to

delivery of the goods, the applicant failed to supply the same. Therefore, the shopkeepers began pressurizing the complainant for return of their money. Under such circumstances, the present complaint came to be lodged against the applicant, pursuant to which the police registered the aforesaid offence.

4. It is contended that the dispute is purely civil in nature, arising out of a monetary transaction of ₹2,40,000/- collected from the shopkeepers, and that criminal colour has been given to the same. Hence, it is submitted that no case is made out for the offences punishable under Sections 406 and 420 of the IPC. It is further contended that the entire amount has already been deposited with the Investigating Officer.

5. Learned APP for the State submitted that if the entire amount has been deposited with the Investigating Officer, custodial interrogation of the applicant may not be required and therefore, an appropriate order may be passed.

6. Considering that the complaint appears to be civil in nature, the question as to whether the applicant had the intention to deceive from the very inception is a matter of trial. Further, it is noted that the applicant has already deposited the entire amount with the Investigating Officer, thereby demonstrating his bona fides.

7. Considering the nature of the allegations and the aforesaid circumstances, this Court is of the opinion that a case is made out for confirmation of the order dated 25-02-2026.

8. Accordingly, application is allowed. Order dated 25-02-2026 passed by this Court shall stand confirmed.

9. The applicant shall appear before the concerned Police Station as and when directed.

(M.W. Chandwani, J.)