

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

CRIMINAL APPLICATION (ABA) NO. 41 OF 2026

(Kapil Gopal Agarwal Vs. The State, thr PSO, PS Sitabuldi, Nagpur and anr)

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

Court's or Judge's orders.

Mr. C.B. Barve, Advocate for applicant.
Mr S.B. Bissa, APP for respondent No.1/State.

CORAM : M.W. CHANDWANI, J.
DATE : 20.01.2026.

Heard.

2. The applicant is seeking transit anticipatory bail in connection with Crime No. 20/2026, registered with Police Station Saraswati Nagar, District Raipur, for the offences punishable under Sections 318(4), 338, 336(3) of the Bharatiya Nyaya Sanhita, 2023 to approach before the appropriate Court.

3. Issue notice to the non applicants showing cause as to why transit anticipatory bail should not be granted to enable the applicant to appear before the appropriate Court, returnable on 3.2.2026.

4. Learned APP waives service of notice on behalf of respondent No.1.

5. It is contended that the complaint has been lodged against the wife, father-in-law and brother-in-law of the applicant alleging that they being the directors of Hitech Abrasive Pvt Ltd, sold the property to the complainant which was already

mortgaged with State Bank of India. Therefore, on his complaint, the aforesaid offences came to be registered.

6. The contention of the learned Senior Counsel is that the applicant is the husband of the applicant in Criminal Application (ABA) No. 37/2026, who is not a director in the company but merely a shareholder of the company. The applicant has not been named in the FIR. No role has been played by the applicant in the alleged offence and he has no involvement in the aforesaid crime. The applicant has been implicated in the present crime merely because he is the son-in-law of the main accused. The applicant in Criminal Bail Application (ABA) No. 37/2026 who is the wife of the present applicant has already been protected by this Court. Further, the applicant has not signed any document.

7. Considering the FIR and the fact that, the applicant is not a signatory to any document, as well as the fact that the wife of the applicant has already been protected by this Court, a case is made out for ad interim protection. Hence, following order is passed:

i) Pending the application, in the event of arrest, the applicant be released on furnishing P.R. bond of Rs. 25,000/- and one solvent surety in the like amount.

iii) The applicant shall not tamper with the prosecution evidence and shall cooperate in the investigation.

JUDGE

Belkhede