



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

CRIMINAL BAIL APPLICATION (ABA) NO. 53 OF 2026

(Praful s/o Prabhakar Doifode and anr Vs. State, thr PSO, PS Ajni, Nagpur)

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

Court's or Judge's orders.

Mr. N.R. Tekade, Advocate for applicants.
Mr. N.R. Rode, APP for non-applicant/State.
Mr. V.P. Ingole, Advocate to assist the prosecution.

CORAM: RAJNISH R. VYAS, J.

DATE: 16.04.2026

Heard.

2. Apprehending arrest, the applicants/two accused named in FIR No. 6/2026, dated 2.1.2026, registered with Police Station City Ajni, Nagpur, for offence punishable under Sections 340(2), 336(3), 336(2), 318(4) of Bharatiya Nyaya Sanhita, 2023 have approached this Court.

3. The learned counsel for the applicants has contended that all the offences registered against the applicants are punishable with maximum imprisonment of 7 years and vide order dated 28.1.2026, passed by this Court, they have attended the concerned Police Station and have cooperated the Investigating Agency. According to him, considering the mandate of Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, "BNSS") and the fact that they have attended the Police Station, the interim protection be continued.

4. Per contra, the learned APP has contended that though the applicants have attended the police station, they have not cooperated the Investigating Agency and the custodial interrogation of the applicants is necessary to verify whether some more customers are cheated. The learned counsel for the complainant has supported the stand taken by the learned APP and has contended that it is not the case that in every offence punishable upto imprisonment of 7 years, custodial interrogation is to be ignored. He prayed for dismissal of the application.

5. With able assistance of learned counsels for respective parties, I have gone through the case record. The FIR dated 2.1.2026 was lodged by the informant named Mr. Manoj Jaiswal against two persons who are the present applicants. It is alleged in the FIR that present applicants who were dealing in installing the solar panels, were introduced to him by one of the friends. According to FIR, the applicants have agreed that they would install DCR Solar Panels of various Kilowatt of Adani Company and for that the informant had initially paid amount of Rs. 51,000/-. It is alleged in the FIR that after installation of the Solar Panel, remaining amount of Rs. 4,50,000/- was paid.

6. According to the informant, though he alongwith others was entitled for subsidy and same was assured by the applicants, it was not credited in their account and therefore, enquiry was made by them. On enquiry, it was found that the applicants did not install Solar Panels of Adani Company but installed panels of LOOM Company that too through one M/s. Suncall Solar Energy Services. According to him, forged model

agreement for installation of meter was also prepared by the applicants. It is in this background, the respective counsels were heard.

7. The FIR was lodged on 2.1.2026, the offences registered are punishable with maximum imprisonment of 7 years. This Court vide its order dated 28.1.2026 had granted ad-interim bail to the applicants. The applicants were directed to attend the concerned police station. It is not disputed that the applicants have attended the police station but it is contended by learned APP that they have not produced the original documents before the Investigating Officer though were directed.

8. The learned counsel for applicants submits that he is ready and willing to produce the original model agreement and the power of attorney before the Investigating Officer within one week from today.

9. Considering the fact that the dispute is prima facie, of commercial nature and since the applicants have undertaken to this Court that they will produce aforesaid original documents before the Investigating Officer within one week from today, I am inclined to entertain the present application. It cannot be ignored that the offences are punishable with imprisonment upto 7 years and therefore, recourse to Section 35(3) of the BNSS can be taken to. Investigation is based upon the documentary evidence. It is not the case of the prosecution that the applicants have any criminal antecedents. In the aforesaid background, following order is passed:

ORDER

I) In the event of arrest, in connection with FIR No. 6/2026, dated 2.1.2026, registered with Police Station City Ajni, Nagpur, for offence punishable under Sections 340(2), 336(3), 336(2), 318(4) of Bharatiya Nyaya Sanhita, 2023, the applicant shall be released on bail on furnishing a P.R. bond of Rs. 55,000/- (Rupees Fifty Five Thousand only) with one solvent surety in the like amount.

ii) The applicants shall produce original Model Agreement and the Power of Attorney documents before the Investigating Officer within one week from today. Failure to do so will be a ground for moving an application for cancellation of bail.

iii) The applicants shall attend the concerned Police Station on 21st, 22nd and 23rd of April, 2026, between 2.00 pm to 5.00 pm.

iv) The applicants shall cooperate with the investigating agency and shall not tamper with the prosecution evidence or influence the witnesses.

v) The applicants shall not leave India without the previous permission of the Court.

(RAJNISH R. VYAS, J.)