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

CRIMINAL APPLICATION (ABA) NO.126 OF 2026
Swapnil Padmakar Dahivalkar 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 A.A. Dhawas, Advocate for applicant.
Shri S.B. Bissa, APP for respondent/State.

CORAM : M.W. CHANDWANI, J.
DATE : 10.03.2026.

1. The applicant is apprehending his arrest in connection with Crime No.1050/2025 registered with Police Station, Ballarshah, District Chandrapur for the offence punishable under 318(4) read with Section 3(5) of the Bharitya Nyaya Sanhita, 2023.

2. Heard the learned counsel for the applicant and learned Additional Public Prosecutor for non-applicant/ State.

3. Having gone through the case diary, it is revealed that the son of the complainant was educated and was in search of a job. Co-accused – Mohnish Moon assured the son of the complainant that he will be getting the job of Booking Clerk in Railway Department, Nagpur. On 01.12.2023, co-accused - Mohnish Moon alongwith the applicant, went to the house of the complainant and assured that the son of the complainant will get a job if he pays ₹15 lakh. On

04.12.2023, the complainant paid ₹3,80,000/- to co-accused Mohnish Moon, the applicant and Pradip Dabarde. Again after 4 – 5 days, out of the total amount of ₹4.50 lakhs, the complainant paid ₹50,000/- and ₹20,000/- to the co-accused and the applicant. Thereafter, at the instance of the present applicant, an amount of ₹5 lakhs was transferred in the account of one Ravindra Manekar. Ultimately, the son of the complainant did not get the appointment letter or even the letter of training as promised. When the complainant enquired with the applicant and other co-accused, co-accused - Mohnish Moon refunded ₹3 lakhs. Remaining amount of ₹6.50 lakhs is still not refunded. Therefore, the aforesaid offence came to be registered against the present applicant and other co-accused.

4. Applicant-Swapnil was also promised the job of Booking Clerk in Railway Department by co-accused Mohnish Moon. The applicant got a forged appointment letter from the co-accused. It appears from the documents filed alongwith the application that the applicant has also lodged a complaint against co-accused Mohnish Moon and other co-accused for duping him on the pretext of getting a job. The possibility of the applicant being one of the victims cannot be ruled out. No doubt, the investigation is at a primary stage but considering the abovesaid aspects and the fact that there is no chance of the applicant fleeing away from the justice, since he is permanent resident of Bhadrawati, the applicant can be put on stringent terms to

cooperate in the investigation, so that the investigation can proceed in the proper direction to examine the role played by the main accused. Considering these aspects, a case is made out for grant of anticipatory bail. Hence, the following order:

(i) The application is allowed and disposed of.

(ii) In the event of arrest in connection with Crime No.1050/2025 registered with Police Station, Ballarshah, District Chandrapur for the offence punishable under Section 318(4) read with Section 3(5) of the Bharitya Nyaya Sanhita, 2023, the applicant – **Swapnil Padmakar Dahivalkar** be released on bail on furnishing a PR bond of Rs.25,000/- with one solvent surety in the like amount.

(ii) The applicant shall attend the concerned Police Station on every Friday and Tuesday for the next four weeks between 10.00 am to 12.00 noon and cooperate with the investigating authority.

(iii) The applicant shall not tamper with the prosecution evidence and shall not threaten the prosecution witnesses.

(iv) So far as recovery of documents is concerned, presence of the applicant shall be treated as custody within the meaning of Section 23 of the Bharatiya Sakshya Adhiniyam, 2023.

(M.W. Chandwani, J.)

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