



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

Criminal Application (ABA) No.235/2026

Asad s/o Shakil Ahmad V State of Maharashtra through PSO Police Station Yashodhara Nagar,
District Nagpur)

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

Court's or Judge's orders

Mr. J.M. Gandhi, Advocate for applicant.
Mr. Bissa, APP for State.

CORAM : M.W. Chandwani, J.
DATE : 27-03-2026.

Heard.

2. The applicant is apprehending his arrest in connection with Crime No.0180/2026 registered with Police Station Yashodhara Nagar, Nagpur for the offences punishable under Sections 318(4) and 316(2) of the Bhartiya Nyaya Sanhita, 2023.

3. Issue notice to the non-applicant, returnable on 15-04-2026.

4. Learned APP waives service of notice on behalf of the State and prays for time to file reply.

5. The contention is that the applicant had agreed to sell the suit property on 07.04.2011. The allegation against him is that, despite repeated requests, he failed to execute the Sale Deed and thereby, cheated the complainant. It is further contended that the FIR has been lodged after an inordinate delay of about 15 years. The dispute arises out of a transaction of a civil nature and a false

complaint has been filed by the complainant, pursuant to which the Police have wrongly registered the FIR. A detailed scrutiny of the case diary is necessary. At present, the State has not filed its reply, as it has not yet been served.

6. Considering the submissions, in my view, the applicant can be protected by way of ad-interim relief. Hence, the following order :

(i) Pending the application, in the event of arrest in connection with Crime No.0180/2026 registered with Police Station Yashodhara Nagar, Nagpur for the offences punishable under Sections 318(4) and 316(2) of the Bhartiya Nyaya Sanhita, 2023, the applicant be released on bail on executing 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 Sunday and Wednesday between 10.00 am to 02.00 pm for the next two weeks and cooperate with the investing authority.

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

(M.W. Chandwani, J.)