



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

CRIMINAL APPLICATION [ABA] NO.241 OF 2026

[Pratik Ashokrao Chopde .vs. State of Maharashtra, Through its Police Station Officer, P.S. Hingna, Nagpur]

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

Court's or Judge's orders

Ms. Apurva D. Kolhe, Advocate for Applicant.

Mr. N.R. Rode, APP for Non-Applicant.

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CORAM : RAJNISH R. VYAS, J.

DATE : APRIL 23, 2026.

1. Apprehending arrest, the applicant has approached this court. The First Information Report No.0043/2026, dated 03.03.2026 came to be registered against the applicant with Police Station, Hingna, District-Nagpur for commission of offences punishable under Section 406 and 420 r/w 34 of the Indian Penal Code. The reporter of the crime is one Rajesh Ajabrao Ninawe.

2. In short, it is alleged in the first information report that the reporter was interested in purchasing an immovable properties. He came across a hoarding show selling of plots situated in Kh.No.49 by one Anusaya Real Infrastructure. The informant contacted on the phone number mentioned on the hoarding and the accused persons took them to the layout in question. The applicant agreed to purchase Plot nos.61 and 62 and the consideration was fixed at Rs.10,56,600/-. The plot was booked on 1.2.2014 and till 5.11.2015, the informant paid part consideration of Rs.7,56,000/- to the accused persons.

3. It was alleged in the first information report that thereafter the accused started demanding payment of balance consideration on which the applicant agreed to pay the same, but with a condition regarding execution of sale deed. Thereafter, on several occasions, the informant requested for execution of sale deed, but his request was not considered by advancing the reasons that some process was required to be done.

4. It is alleged in the first information report that after some years both the accused did not contact and were not available. According to the informant, other eight persons were also duped.

5. In short, it is the case of the informant that in spite of acceptance of part of consideration, the sale deed was not executed.

6. The learned counsel for the applicant has contended that accused no.1 is arrested in the crime and was subjected to police custody remand. So far as the applicant is concerned, she submitted that he was the relative of original accused no.1 and used to assist him in the business. She further contended that custodial interrogation is not required considering the delay in lodging FIR and the fact that the offences are based on documentary evidence.

7. Per contra, the learned APP has contended that the applicant is involved in the crime and more than nine purchasers were cheated and, therefore, application be rejected.

8. With the assistance of the respective counsels, I have gone through the record of the case. The FIR is registered in the year 2026, whereas the agreement to sell was executed on 17.10.2015. The informant has failed to show as to why he did

not lodge a first information report or approach at the Civil Court at the earlier point of time. The case is based on documentary evidence and the accused no.1 is already arrested. It is not disputed that the applicant has no criminal antecedents. Considering the aforesaid facts, the following order is passed :

ORDER

(i) In the event of arrest in connection with Crime No.0043/2026 registered with the Hingna Police Station, District-Nagpur for the offences punishable under Sections 406, 420 r/w 34 of the Indian Penal Code, the applicant be released on bail on furnishing a P.R. Bond of Rs.55,000/- (Rs. Fifty Five Thousand only) with one solvent surety in the like amount.

(ii) The applicant shall attend the concerned Police Station on 25th and 26th April, 2026 between 12.00 noon to 2.00 pm.

(iii) The applicant shall cooperate with the investigating agency and shall not tamper with the prosecution evidence or influence the witnesses directly or indirectly.

(iv) The applicant shall not leave India without prior permission of this court.

(v) Application stands disposed of.

(RAJNISH R. VYAS, J.)