



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

CRIMINAL APPLICATION [ABA] NO.277 OF 2026

[Rajesh Bhimrao Ghongade .vs. State of Maharashtra, Through Police Station Officer, Police Station,
Rajapeth, Amravati, District-Amravati]

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

Court's or Judge's orders

Mr. S.K. Kale, Advocate with Mr. P.S. Bhoyar, Adv. for Applicant.
Ms. M.R. Kavimandan, APP for Non-Applicant.
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CORAM : RAJNISH R. VYAS, J.

DATE : APRIL 23, 2026.

1. Apprehending arrest, the only accused in the First Information Report in Crime No.75/2026, dated 5.2.2026 for the commission of the offences punishable under Sections 406 and 420 of the Indian Penal Code, has approached this court.

2. In short, it is alleged in the First Information Report that the applicant was dealing in extracting oil from seeds, and in that context, he had promised to the complainant that he would be paid his share of the profit if a certain amount was invested. The informant had invested an amount and from time to time, had also received his share of profit. It is the case of the complainant that initially he received the amount but thereafter the applicant stopped paying his share of the profit and has therefore, committed an offence under Sections 406 and 420 of the Indian Penal Code.

3. The learned counsel for the applicant has submitted that the dispute involved prima facie is of commercial nature and, therefore, his custody is not required.

4. Per contra, the learned APP has contended that the custodial interrogation of the applicant is required in order to investigate the matter properly. She submitted that the offence committed is serious in nature and detailed investigation is required.

5. With the assistance of the respective counsels, I have gone through the record of the case. This court, by the order dated 15.4.2026, has granted ad-interim anticipatory bail to the applicant with a direction to attend the Police Station. It is not disputed that the applicant has attended the Police Station. The perusal of the First Information Report would reveal that the applicant has initially asked the informant to invest the certain amount and assured him to pay the profit. On certain occasion, the amount was paid but, thereafter, profit was not paid. Prima facie, the dispute seems to be a commercial nature. The issue will have to be answered during the course of trial, as to whether, the offence under Sections 406 and 420 of the Indian Penal Code can be allowed to proceed together. Since the applicant has no criminal antecedents and he has cooperated with the investigating agency as well as considering the fact that prima facie the dispute is of commercial in nature, I am inclined to pass the following order :

ORDER

(i) In the event of arrest, in connection with Crime No.75 of 2026, dated 5.2.2026, registered with Police Station, Rajapeth, Amravati, for offences punishable under Sections 406 and 420 of the Indian Penal Code, the applicant-Rajesh Bhimrao Ghongade be released on bail on furnishing P.R. Bond of

Rs.50,000/- (Rs. Fifty Thousand only) with one solvent surety in the like amount.

(ii) The applicant shall attend the concerned Police Station as and when required by the Investigating Officer.

(iii) The applicant shall cooperate with the Investigating Agency and shall not tamper with the prosecution evidence or influence witnesses.

(iv) The applicant shall not leave the India without the previous permission of the Court.

The application stands disposed of.

(RAJNISH R. VYAS, J.)