



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

CRIMINAL APPLICATION (ABA) NO. 321 OF 2026

(Sanjay s/o Vasudeorao Gulhane and anr Vs. State, thr PSO, P Warud, Tah. Warud, Dist.
Amravati)

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

Court's or Judge's orders.

Mr. J.B. Kasat, Advocate for applicants.
Mr. S.B. Bissa, APP for non-applicant/State.

CORAM: RAJNISH R. VYAS, J.

DATE: 29.04.2026

Heard.

2. This is an application for grant of anticipatory bail preferred by the applicants. The First Information Report (FIR) bearing No. 169/2026, dated 21.3.2026, is registered against the applicants at Warud Police Station, District Amravati, for offences punishable under Sections 3(5), 316(4), 317(1), 317(2), 317(5), 61(2) of the Bharatiya Nyaya Sanhita, 2023.

3. In short, it is the case of the informant that one Gopal Chaudhari was working as a cashier in his business, which was run in the name and style "Lokesh Traders". The business was dealt with the purchase and sale of the grains. According to the informant, the Lokesh Traders has overdraft account with ICICI Bank, Warud and Gopal Chaudhari used to look after the job of preparation of bills and acceptance of payment etc. It was further alleged that the mobile number was linked to the said overdraft account which was kept in the office/shop of Lokesh Traders

itself, and it was the accused Gopal, who used to carry out necessary transactions on the basis of OTP received. According to the informant, taking advantage of the aforesaid fact, he transferred several amount into the accounts of his relatives, including the present applicants, who are shown as accused nos. 4 and 5 in the FIR. The applicant no.1 is father-in-law; whereas, the applicant no.2 is mother-in-law of original accused no.1 – Gopal Chaudhari.

4. In this background, it is argued by the learned counsel for applicants that principal accused namely, Gopal has already been arrested and remanded to the police custody. According to the learned counsel for the applicants, they are the father-in-law and mother-in-law of the principle accused Gopal and were under the impression that he was getting handsome profit in his business and therefore, an amount was transferred to their account. Learned counsel for applicants submit that they were not at all aware about the fraud played by accused since, he resides at Warud and the applicants at Ner Parsopant.

5. Per contra, the learned APP has contended that the amount was withdrawn from the account of the present applicants as well as the co-accused. He submitted that custodial interrogation of the applicants is required to collect the information as to how much amount was withdrawn.

6. The informant appeared through Mr. R.A. Bagde, Advocate, who has tendered a copy of an application to assist the prosecution. The said application is taken on record and marked

'X' for identification. The office is directed to register the said application. The applicant/informant is allowed to assist the prosecution. Learned counsel for the complainant has argued that the conspiracy was systematically hatched and in order to unearth the crime, the custodial interrogation of the applicants is required.

7. Heard learned counsel for the respective parties. I have gone through the record of the case.

8. The present applicants are the father-in-law and mother-in-law of the principal accused, Gopal. It is not disputed that they have no criminal antecedents. It is the specific case of the prosecution that the applicants' accounts were used by the accused Gopal for withdrawal of the amount. Apart from this, nothing has been brought on record to show that the applicants were involved in helping the accused in committing the act of cheating and criminal breach of trust. It is also not the case of the prosecution or the complainant that the present applicants were, in any manner, concerned with the business of M/s. Lokesh Traders.

9. The contention of the learned counsel for the informant that custodial interrogation is required is without any substance, as that aspect will have to be examined by the Investigating Agency. The question is whether a prima facie case is made out against the applicants or not.

10. Considering the averments made in the FIR and the

role assigned to the applicants, I do not find any reason to curtail their liberty. It is not disputed that the applicants have attended the police station as directed by this Court vide order dated 22.4.2026 and have cooperated with the Investigating Agency.

11. The learned APP has submitted that the copies of the sale deed and bank passbooks have not been supplied by the applicants. The learned counsel for the applicants submits that the said documents would be supplied to the Investigating Officer within one week from today. The statement is accepted as an undertaking to the Court.

Considering the aforesaid discussion, the following order is passed:

ORDER

i) In the event of arrest in connection with Crime No. 169/2026, dated 21.3.2026, registered with Warud Police Station, District Amravati, for the offences punishable under Sections 3(5), 316(4), 317(1), 317(2), 317(5), 61(2) of the Bharatiya Nyaya Sanhita, 2023, the applicants namely, Sanjay s/o Vasudeorao Gulhane and Shobha w/o Sanjay Gulhane, be released on bail on furnishing a P.R. bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with one solvent surety in the like amount.

ii) The applicants shall attend the concerned Police Station on 5.5.2026, between 12.00 noon to 3.00

pm. and shall cooperate with the investigating agency.

iii) The applicants shall not tamper with the prosecution evidence or threaten the prosecution witnesses.

iv) The applicants shall not leave the India without prior permission of the Court.

(RAJNISH R. VYAS, J.)