

CNR. NO. MHMM110106992026

IN THE COURT OF ADDL. THE CHIEF JUDICIAL MAGISTRATE,
37TH COURT, ESPLANADE MUMBAI
BAIL APPLICATION NO. 1173 OF 2026
C.R. NO. 80/2026 DCB CID UNIT-03

A) CASE DETAILS	
FIR Number & Date	0241/2026, Date of FIR :- 10.07.2026
Police Station, District & State	Marine Drive Police Station, Mumbai, Maharashtra
Sections invoked	Section 204, 318(4), 319, 340, 3(5), 61(2), 112 of the B.N.S., 2023
Maximum punishment prescribed	Up to 07 Years
B) CUSTODY & PROCEDURAL COMPLIANCE	
Date of arrest	21.07.2026
Total period of custody undergone	Yet in custody.
C) STATUS OF TRIAL	
Stage of proceedings	Investigation
Total number of witnesses cited in the charge-sheet	NA
Number of prosecution witnesses examined	NA
D) CRIMINAL ANTECEDENTS	
FIR No. & Police Station	C.R.No. 371/2022 Vashi Police Station, Navi Mumbai
Sections	406, 420 of the Indian Penal Code, 1860
Status	Pending

FIR No. & Police Station	C.R.No. 218/2024 Sanpada Police Station, Navi Mumbai
Sections	406, 420 of the Indian Penal Code, 1860
Status	Pending
E) PREVIOUS BAIL APPLICATIONS	
Court	No.
Case No.	--
Outcome of case	--
F) COERCIVE PROCESSES	
Whether any Non-Bailable Warrant was issued	No
Whether declared a proclaimed offender	No

ORDER BELOW BAIL APPLICATION

Accused Sanjay Rambhau Jadhav is prosecuted for the offence punishable under section 204, 318(4), 319, 340, 3(5), 61(2), 112 of the B.N.S., 2023 wherein accused has claimed bail by filing present application. The application is supported by affidavit.

2. The applicant/accused has claimed that that there is non-compliance of the directions given by the Hon'ble Supreme Court. The grounds of arrest were not communicated to the applicant. The offences alleged against the accused are triable by this Court and are punishable up to seven years. There is non-compliance of the directions given by the Hon'ble Supreme Court in the case of Arnesh Kumar. The applicant has co-operated during investigation. Noting incriminating has been recovered at the instance of the applicant. The applicant carries transactions regarding sale of property and therefore, the main accused contacted the applicant. The applicant has no criminal antecedents. The applicant is the only earning member in his family.

Hence, on the grounds mentioned in application, the applicant/accused has claimed releasing on bail on terms and conditions imposed by this Court in terms of prayer Clause (1) and (2) of the application.

4. The learned APP and I.O. opposed the application on the ground that the offence involves impersonation of senior police officers to defraud a citizen, striking directly at public trust in law enforcement , an aggravating factor over and above ordinary cheating. The cheated amount of Rs.10,00,000/- is yet to be recovered. Investigation is at a crucial and incomplete. The applicant/accused has criminal antecedents. Two similar type of offences are pending against the applicant/accused. The applicant/accused has no permanent place of residence in Mumbai. He remained untraceable at his known address for several days during investigation, therefore, the conduct of the applicant/accused demonstrates a clear tendency to evade the process of law. If the applicant/accused released on bail, there is a real and serious likelihood of the applicant tampering with evidence and influencing or pressuring the informant and other witnesses. The investigation is incomplete. Hence, prays to reject the application.

5. Heard the learned advocate for the accused and the learned APP. The learned advocate for the applicant/accused placed his reliance on the following case laws :

- a) **Arnesh Kumar V/s. State of Bihar (2014)8 Supreme Court Cases 273**
- b) **Maulana Mohd. Amir Rashadi V/s. State of U.P. & Anr. Criinal Appeal No. 159 of 2012.**

6. The accused is prosecuted for the offence punishable under section 204, 318(4), 319, 340, 3(5), 61(2), 112 of the B.N.S., 2023. The allegations against the accused through the FIR reveals that the accused was in contact with the informant and having collusion with accused No.1 Raj Khatib by personating as Sub-Inspector has promised to carryout work under the confidence. Since 2024 personated to the informant and on the personation along with accused No.1 Raj Khatib the amount was claimed as commission to the extent of Rs.10 Lakh. Prima facie, the involvement of the accused for demanding amount under personation reveals that the commission amount is claimed by the present accused and the knowledge of status of accused No.1 Raj Khatib since long acquaintance cannot be ruled out. The promise of accused No.1 along with present accused and demanding commission for work out returning of amount and non-returning the amount with intention prima facie shows the involvement of the accused.

7. The learned advocate for the accused submitted that the accused had no concern with the transaction of accused No.1 in respect of personation and he was only involved for purchasing property to the relatives of accused No.1 Raj Khatib and therefore, only facilitated for getting property as an agent. He cannot be implicated in the act of personation committed by accused Raj Khatib.

8. The documents pertaining to the transaction of property of the relatives of the accused Raj Khatib are produced on record and prima facie shows that the present accused had become witness to the transaction. The allegation of the informant for the act of commission of offence and the claim of the demand by the accused since 2022,

prima facie reveals that the accused was in contact with accused Raj Khatib and as well as meeting with the informant under the personation for getting wrongful amount and prima facie involved in making false promise for obtaining Rs.10 lakh.

9. In such circumstances, during the pendency of the investigation, possibility of absconding of accused and tampering of prosecution witness cannot be ruled out in view of allegations against the accused and the role attributed against the accused for demand of amount and the commission of offence alleged along with accused Raj Khatib, the accused is found to be involved in the offence. Therefore, during the pendency of investigation, the accused has failed to made out the grounds to release him on bail. Hence, the application deserves to be rejected. By considering the allegations and nature of allegation and gravity thereof under the personation, this is not a fit case to release the accused on bail at this stage of investigation. Hence, I pass the following order :-

ORDER

1) The application stands rejected.

(The order dictated and declared in open Court.)

Date : 13.08.2026

Addl. Chief Judicial Magistrate,
37th Court, Esplanade, Mumbai