

MHBU040004732026



Order below Exh. 1 in Anti.Cri.Bail Application No.106/2026
(Nikita Ankit Sharma Vs. State of Maharashtra)
(Passed on 30.3.2026)

1. Apprehending the arrest in Crime No.103/2026 applicant/accused namely **Nikita Ankit Sharma** has preferred anticipatory bail application under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for the offence punishable under Section 318(4) of the Bharatiya Nyaya Sanhita, 2023.
2. Investigating officer and learned APP Mr. S.B.Ingle have resisted the application by filing say at Exh.6. It is contended that the name of applicant is mentioned in the FIR. She has obtained the online money from the complainant, but not provided the infrastructure as per agreement and thereby cheated to the complainant. It is contended that if accused released on bail then she will pressurize the complainant and witnesses and will not co-operate in the investigation. Hence, requested to reject the bail application.

3. Learned advocate Mr.VV.Zadokar for the applicant has submitted that as per contents of FIR, it is civil dispute. He submitted that applicant has not cheated to the complainant. It is further submitted that applicant is ready to co-operate in investigation and abide each and every condition imposed while releasing on bail. Therefore, he urged for releasing the applicant on anticipatory bail.

He relied upon the authority- Naresh Kumar & Anr. V/s. The State of Karnataka & Anr., SLP (CRI) No. 1570 of 2021, in which the Hon'ble Supreme Court has observed that " the present dispute between the parties relates to a breach of contract. A mere breach of contract, by one of the parties, would not attract prosecution for criminal offence in every case.

4. Learned APP Mr. S.B.Ingle, has argued as per the say and urged to reject the application.

5. I have considered the submissions of both side. Perused the application and say filed by the prosecution. I have gone through the entire documents and police papers placed on record.

6. After perusal of the FIR, prima facie it shows that the transaction between complainant and accused is in the nature of civil dispute. As per say of investigating officer, nothing to

recover from the applicant. Moreover applicant is ready to co-operate the police in investigation and abide each and every condition imposed, if she released on anticipatory bail. Therefore, though the prosecution has resisted the application, but if applicant/accused released on anticipatory bail on certain conditions, then prosecution will not be prejudiced. Hence, in the light of observation of the Hon'ble Supreme Court in case cited supra, the application deserves to be allowed. In result, I pass the following order :-

ORDER

1]	Application Exh.1 is allowed.
2]	In the event of arrest of the applicant/accused namely Nikita Ankit Sharma be released on bail in connection with Crime No.103/2026, registered with Police station Shegaon City for the offence punishable under Sections 318(4) of the Bharatiya Nyaya Sanhita, 2023, on her executing PR bond of Rs.25,000/- (Rs.Twenty Five thousand only) with one solvent surety in the like amount on conditions that:-
[i]	She shall co-operate the I.O. in investigation and thereafter, she shall make herself available for interrogation as and when asked by the I.O. till filing final report.
[ii]	She shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against her so as to dissuade the witness from disclosing such facts to the Court or to any Police Officer.
[iii]	She shall not pressurize the complainant and prosecution witnesses.

[iv]	On breach of any condition of bail order, prosecution will be liberty to apply for cancellation of bail.
3]	Inform concerned police station accordingly.
4]	Hamdast allowed.

Dated: 30.3.2026

(G.B.Jadhav)
Addl.Sessions Judge, Khamgaon,
Dist. Buldhana.

Certificate

I certify that this order PDF uploaded is a true and correct copy of original signed order.

Name of Steno : Mrs. Nishat Anjum Mohd. Rafique.

Name of Court : Addl. Sessions Judge, Khamgaon.