

MHKO010020282026



Cri.Bail Application No.511/2026
Order below Exh.1

Applicants Lata Balaso Koli, Kiran Balaso Koli, Vaishali Rajaram Koli, Rupali Anil Koli, Laxman Baburao Khatale, Yuvraj Laxman Sankpal, Rajaram Aaba Patil, Manoj Mansingh Patil, Swapnil Bandu Lambe, Sumit J. Patil have apprehension of arrest in pursuance of registration of Crime No.374/2025 against them and others under sections 420, 463, 465, 466, 467, 468, 471 and 474 of the Indian Penal Code at police station, Shrioli MIDC on 1-12-2025. The applicants are seeking relief of pre-arrest bail on the grounds mentioned in the application.

02. The prosecution has submitted say to the application and opposed the application. According to the prosecution, if the applicants are released on pre-arrest bail they will not cooperate the investigation. Their handwritings and specimen signatures are required to be taken. All the applicants are local residents. If they are released on pre-arrest bail, they will tamper with the evidence.

03. Heard both the sides. Perused the record.

04. Learned advocate for the applicants submitted that the dispute between the parties is of civil nature. Criminal colour is given to it and the applicants are falsely implicated. He further submitted that though the applicants have filed Criminal Writ Petition before the Hon'ble High Court for quashing of the F.I.R. but they have not pressed the prayer of (d), directing the investigation agency not to take any

coercive steps against the applicants. Thus, there is no bar to grant anticipatory bail to the applicants. He placed his reliance on Shailesh Kumar Singh @ Shailesh R. Singh Vs. State of Uttar Pradesh & Ors. (2025 LiveLaw (SC) 726).

05. Learned A.P.P. opposed the prayer for the reasons stated in the say.

06. The record shows that the applicants have filed Criminal Writ Petition No.4802/2025 before the Hon'ble High Court Judicature at Bombay, Circuit Bench at Kolhapur. Prayers are made therein for quashing of the F.I.R. against the applicants. Interim and ad-interim prayers (b), (c), (d), (e) and (f) are also made therein in the Writ Petition. According to the learned advocate for the applicants prayer (d) is not pressed. Prayer (d) is in respect of not taking coercive steps against the applicants. Though prayer (d) is not pressed but other prayers i.e. (b), (c), (e) and (f) are still pending before the Hon'ble High Court for consideration. Prayer (b) is required to be reproduced, which reads as under;

“Pending hearing and final disposal of this petition, any proceedings initiated and continued against present petitioners with respect to F.I.R. bearing C.R. No.374/2005 dated 1-12-2025 registered with Shirol MIDC police station, Kolhapur may kindly be stayed”.

07. Ad-interim relief is also claimed by the applicants in respect of interim prayer (b), vide prayers (e) and (f). The hidden meaning of prayer (b) is to prevent the investigation machinery from arresting the applicants. Thus, the applicants have made identical prayers before two different forums. As the identical nature prayer petition is pending before the Hon'ble High Court, this Court is of the

opinion that it is not just to entertain this application as it is against the judicial propriety. In the result, following order is passed -

Order

Application stands rejected.

Date : 02-07- 2026

(D.V.Kashyap)
Additional Sessions Judge, Kolhapur.