

IN THE COURT OF ADDL. SESSIONS COURT, KALLAM.

Pushkar Pushpashil Salunke & Oths.

(Applicant ori. Accused)

Versus

State of Maharashtra

(through Ld. APP, Kallamb

PI., Police Station, Kallamb)

Structured framework as per Order of the Hon'ble Supreme Court of India in Cri. Appeal No.825/2026 arising out of SLP (Cri.) No.12669 of 2025 in Zeba Khan Vs. State of U.P

(A) CASE DETAILS	
FIR No. & Date	458/25 dated 04/12/2025
Police Station District and State	Kallam Police Station, Taluka-Kallam, Dist.-Dharashiv, State- Maharashtra
Section invoked	318(4),236,237,336(2),337(3),338, 340 r/w 3(5) of the Bhartiya Nyaya Sanhita.
Maximum punishment prescribed	Imprisonment for 10 years.

(B) CUSTODY & PROCEDURAL COMPLIANCE	
Date of arrest	27/12/2025
Total period of custody undergone	04 months 16 days

(C) STATUS OF TRIAL	
Stae OF PROCEEDING (Investigation/Charge-sheet/Cognizance/Framing of Charges/Trial)	Investigation completed and charge-sheet is filed before Ld.JMFC.
Total number of witnesses cited in the charge-sheet	86
Number of prosecution witnesses examined	NA

(D) CRIMINAL ANTECEDENTS	
FIR No. & Police station	Cr.No.73/2025, Basveshwar Police Station (After this crime)
Status (Pending/Acquitted/Convicted)	Pending

(E) PREVIOUS BAIL APPLICATIONS	
Court	Additional Sessions Judge, Kallam
Case No.	Cri.Bail A.No.09/2026 and 10/2026
Outcome of case	Rejected.

(F) COERCIVE PROCESSES	
Whether any non-bailable warrant was issued	NA
Whether declared as proclaimed offender	NA

ORDER BELOW EXH.01

This is a second regular bail application filed by applicant

Nos.1) Pushkar Pushpashil Salunke, 2) Somnath Shankar Dhamal in Crime No.458/2025 lodged at Kallam Police Station for the offences punishable U/sec. 318(4),236,237,336(2),337(3),338, 340 r/w 3(5) of the Bhartiya Nyaya Sanhita after filing charge-sheet.

The facts set out in the application in brief are as under :

2- It is a case of prosecution that, in the year 2024 informant has purchased the tractor No.MH-25-BA-3661. Accused Rafik Abdul Shaikh met with him. He told that there is one person of construction company. He used to hire tractors on rent. Already other villagers have given their tractors on rent. Accused Ajay Chavan was with Rafik, came to him. They offered amount of Rs.80,000/- as a deposit and Rs.30,000/- per month as a rent for tractor. On 29.01.2025 they have given Rs.80,000/- to him and taken tractor from him. They have executed one stamp paper before notary public. After 04 months he demanded rent amount to accused Ajay Chavan, but he has not given the rent. Thereafter he came to know that by paying only deposit amount they have taken 22 tractors and 02 JCB's of Rs. 1,22,00,000/- (Rs.One Crore and twenty two lakhs) from villagers and cheated them. Thereafter informant lodged report at police station Kallam and accordingly crime no.458/2025 registered at Kallam Police Station for the offences punishable U/sec. 318(4),236,237,336(2),337(3),338, 340 r/w 3(5) of the Bhartiya Nyaya Sanhita.

3- It is the contention of the accused persons that they have not committed any offence as alleged by the informant, they are falsely involved in this case and they are arrested on 27.12.2025. Since then they are behind bar. Investigation is completed and charge-sheet is

filed before Ld.Judicial Magistrate First Class, Kallam. Trial cannot be concluded within reasonable time. Therefore they prayed they be released on regular bail.

4- Investigating officer and Ld.APP filed their say in which they have opposed to this application on the ground that there are so many accused persons involved in this offence. Their modus operandi is to take the tractors of villagers and sold to third persons by preparing forged document. Out of 19 tractors 03 tractors are sold by present applicants as well as they also acted as a witnesses and they are the active members of the said crime. They also very well knows the act of main accused persons, even though they co-operated to the main accused persons. Not only this it is a economical offence more than one caror as they cheated to the various agriculturists by taking their tractors and JCB machines on rent basis and with false promise to engage their tractors and JCB machines before the contractors. But without engaging various vehicles before the contractors they sold the said tractors and JCB machines to other persons and grabbed huge amount. Not only this there are other 03 offences registered at various places against the present accused persons. So they are habitual offenders and therefore it is strongly objected for releasing these accused persons on regular bail.

5- However considering the FIR and copy of some documents of charge-sheet as copy of entire charge-sheet is not filed on record. So it appears that there are 22 tractor owners are cheated by the accused persons on false promise of engaging their tractors and JCB machines before reputed contractors present accused

persons and other accused persons on false misrepresentation cheated to the various agriculturists and they obtained huge amount by selling the these vehicles. So present accused persons alongwith other accused persons received more than One caror amount. So present accused persons involved in a huge economic offence.

6- Further it appears that their previous bail applications are rejected. No doubt, mere filing of charge-sheet is not a change in circumstances to file subsequent bail application. As present accused persons are involved previously in 03 other criminal cases. If these accused persons are released on bail again they will commit the similar offences and again they will cheat to the agriculturists. So, considering the nature of offence, involvement of accused persons in the said huge economic crime and as per their previous criminal history they are not entitled for bail as prayed for. Hence, I pass the following order.

ORDER

Bail application is hereby rejected.

Date : 09.06.2026.

(V.K.Mande)
Addl. Sessions Judge, Kallam

CERTIFICATE

I affirm that, the contents of this P.D.F. file Judgment/order are same, word to word, as per the original Judgment/order.

Name of Stenographer : S.R.Ghadge, Stenographer(Grade-I)
Court Name : Addl. Sessions/Special Court, Kallam.
Date : 09.06.2026
Order signed by PO. on : 09.06.2026
Order uploaded on : 09.06.2026