

B. A. No.4174/BA/2025

CNR No. MHMM18-015425-2025

C.R.No. 658/2025 of B.KC. PS.

ORDER ON THE BAIL APPLICATION FILED BY THE ACCUSED

1. This is an application filed by the accused UDAY JANARDHAN CHOGALE for granting bail. According to him, he is alleged to have committed an offences punishable under sections 316 (5), 318 (4) of The Bharatiya Nyaya Sanhita. It is contended that, he has not committed any offence, as alleged. He has been falsely implicated in the false offence. Lastly, he prayed for bail.

2. I.O. and Ld. A.PP. Shri Joshi for the State resisted the application and contented that, the offence is cognizable in nature and non-bailable. If released on bail and accused will be absconded. The property is involved in the offence is yet to be recovered and if accused released on bail he would cause to disappear the said property and he would tamper the prosecution witness. Lastly, he prayed for rejection of bail application.

3. Heard Ld. Advocate Shri Sarfare for accused and Ld. A.PP. Shri Joshi for the State.

4. Perused the record. The F.I.R. bearing No.558/2025 dated 13/10/2025, came to be registered, as per information given by informant. According to the informant accused induced him to deliver the diamonds worth Rs. 65,81,310/-. However, he did not return the said diamonds nor he paid it's price to him. Thus, according to the complainant accused committed an offence of breach of trust and misappropriated diamonds.

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29.11.25

5. Accused arrested on 08/11/2025 and remanded to Police Custod and since 13/11/2025 accused is in Judicial Custody. Ld. Advocate Shri Sarfare submits that, there is delay of two months for lodging the F.I.R. Nothing has been recovered from accused during PCR. Further custody of accused is not necessary. Accused is bread winner of his family. The complaint has been filed only for insurance purpose. Lastly, he prayed that accused be released on bail.

6. Per contra, Ld. A.P.P. Shri Joshi for the State submits that, the investigation is yet to be completed. If accused released on bail, he would cause disappear the property involved in the offence and the sale proceed of the property. Accused would tamper the prosecution witness, hence prayed for rejection of bail application.

7. The offence is cognizable and non-bailable. The offence relating to huge stake. If accused released on bail he would tamper prosecution witness. The investigation is yet to be completed. If accused released on bail accused would protract the investigation, therefore, considering the nature of offence, accused is not entitled to release him on bail. Hence, I proceed to pass following order.

ORDER

1 Application is rejected.



(A. B. Jadhav)

Judicial Magistrate, (First Class),

71st Court, Bandra, Mumbai.

Date : 29/11/2025.

Date : 29/11/2025.

SRD

Dictated on :- 29/11/2025.

Transcribed on :- 29/11/2025.

Checked on :- 29/11/2025.

Signed on :- 29/11/2025.