

Criminal Bail Application No.110/2026
Kakasaheb Agale Vs. State (Alephata P.S.)
CNR No. MHPU330002582026

ORDER BELOW EXH.1

(Passed on this 2nd July, 2026)

1] The applicants are seeking anticipatory bail in Crime no. 130/2026 registered with the Alephata police station for offence under Section 318, 316 read with 3(5) of Bharatiya Nyaya Sanhita (in short BNS) .

2] The case of the prosecution in brief against the present applicant is that Shri. Satish Bhaskar Hande a farmer from Umbraj, Tal. Junnar had paid Rs.12 lakhs to the applicant for the purpose of providing labours. However, the applicant neither provided any labour nor returned the said amount and hence, offence came to be registered.

3] Heard Ld. Advocate Shri. S. S. Ware for the applicant, Ld. Adv. Shri. H. Y. Hadawale for the informant, I.O. and Ld.A.P.P. Perused the application and reply filed thereon.

4] Shri. S. S. Ware submitted that it is a civil dispute to which a criminal color has been given by the informant. The issue arises out of breach of oral contract which cannot be a subject matter of criminal prosecution. He further submitted that the applicant is not at all connected with the other accused. He submitted that he is ready to deposit the entire amount before the Court, if so directed. Lastly, he submitted that custodial interrogation is not at all required and he is ready to abide by all terms and conditions.

5] Per contra, the Ld. A.P.P. and the I.O. submitted that the applicant has been absconding since the registration of FIR. He is not cooperating with the investigation. The notice is sent to the applicant has also returned un-served. The custodial interrogation of the applicant is very much required.

6] Ld. Adv. Shri. Hadawale submitted that Satish Hande is a farmer and he has been cheated by the applicant. He submitted that there are two offences registered against the applicant which are not disclosed in the affidavit to the application. He submitted that the application be rejected.

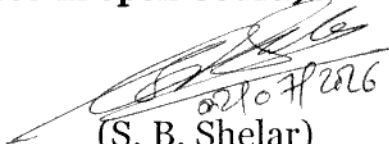
7] On perusal of the FIR, it can be seen that the amount was received by the applicant vide bank transfer and the same is not in dispute. The Ld. Advocate for applicant, on query by this Court, submitted that some of the amounts have been returned to Satish Hande. However, no documents to that effect have been annexed to the application. Under such circumstances, it is difficult to accept the submission of Ld. Advocate for the applicant that certain amounts have been repaid by the applicant. The police reply shows that such labour contractors have cheated several farmers in the vicinity. There are total 6 accused in the FIR and collectively an amount of Rs.1,22,45,000/- is involved. The applicant had refused to accept the notice issued to him by the police and hence it was returned to the police station. The trail of money from the account of the accused is to be investigated and therefore, for that purpose custodial interrogation is very much necessary. Hence, the following order-

ORDER

1. Criminal Bail application no. 110/2026 for anticipatory bail is rejected.
2. Inform concerned police station accordingly.

(Dictated and pronounced in open Court.)

Junnar, Pune
Dt. : 02/07/2026


(S. B. Shelar)
Additional Sessions Judge, Junnar
Tal. Junnar, Dist. Pune