

: ORDER BELOW EXH.1 IN CRI. MISC. APPLICATION NO.
26/2026 :
(CNR No. MHRG15-000117-2026)
(Passed on 20.03.2026)

1) This is an application seeking a regular bail, made by accused **Kalpesh Babu Pangare**, concerning the offence punishable under sections 318(4), 316(2), 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023 (in short, "B.N.S."), in Crime No.150/2025 registered with Mahad MIDC police station.

2) It is contended that the accused did not commit any offence. He has falsely been implicated in the crime. Nothing is to be recovered at the instance of the accused. The investigation has been completed and Final Report is submitted on 01.01.2026. The supplementary charge-sheet is yet to be presented. The accused underwent Police Custody Remand. His further detention is not necessary. The accused is of a young age and it is not desirable to continue to keep him with harden criminals. He is ready to abide by all the conditions. It is submitted to allow the application.

3) The Investigating Officer and the Ld. A.P.P. for the State, opposed the application by filing say (Exh.6). It is pertinent to note that after arguments were heard by filing pursis (Exh.8) on 18.03.2026 Ld. A.P.P. submitted that the contents in the say were wrong, therefor, the say (Exh.9) filed on that day may be

read instead of say (Exh.6).

4) It is contended that the accused promised the informant that he would make him available Rs.30,00,00,000/- (Rs. Thirty Crores only) as commercial loan for which from time to time Rs.41,00,000/- were obtained from the informant by the accused. However, the work of the informant was not done and the informant was cheated by the accused. Not only this, the accused issued threats of killing the informant and also hurled words of abuse.

5) It is contended in the say that from the amount received from the informant, the accused purchased the car, which came to be seized. There are 02 other crimes pending at Mahad MIDC Police Station against the accused.

6) The application is opposed on the grounds that the accused had been absconding. Later on, he came to be arrested. On being released the accused would not remain present before the Court. The possibility of threatening the witnesses and informant cannot be ruled out. The accused has a criminal background. The amount could not be recovered on release of the accused. Hence, the application may be rejected.

7) Heard both sides and perused the record. Ld. Advocate Mr. P. M. Walimbe for accused, and the Ld. A.P.P. Mr. Y.

A. Tendulkar for the State.

8) Ld. Advocate for accused would submit that the investigation has been completed and charge-sheet has been presented before Ld. J.M.F.C. Further detention of the accused is not necessary. There is variance in the version of informant as to how much amount he allegedly paid to the accused. It is submitted that the accused and the informant might have different financial transaction, but not the present, as alleged. There is delay in lodging of the report. It is submitted to allow the application.

9) The Ld. A.P.P. would submit that the a huge amount had been grabbed from the informant on the false promise of providing loan to the informant. Such type of offences have been increasing rapidly. The accused had been absconding. Hence, the application may be rejected.

10) After say (Exh.9) came to be filed, the Ld. Advocate for accused Mr. S. R. Kamble is heard. He submitted that accused is entitled to be released on bail by imposing conditions.

11) It is seen that the report mentions specifically in respect of the informant having paid amounts from time to time to the tune of Rs.41,00,000/-. When found being cheated, the informant approached the accused, on that he issued threats of

killing and hurled words of abuse.

12) There is *prima facie* material against the accused in respect of commission of the offence. The Bank entries are there and no other transaction is pointed out by the accused to be there.

13) No doubt, Final Report has been submitted to the Court. However, the fear expressed by the Ld. A.P.P. that as the accused had been absconding, he would not appear before the Court, cannot be said to be fanciful.

14) There is *prima facie* material against the accused in respect of cheating the informant of a huge amount. Such type of offences have been increasing rapidly thereby making gullible people to lose their huge amounts to crafty intelligent persons.

15) There are 02 crimes registered against the accused, though not of the similar nature to the present crime.

16) Ld. J.M.F.C. had rejected the bail application on 29.01.2026.

17) Without going into further details, it can safely be said that considering the gravity of offence, possibility of the accused fleeing from justice, 02 crimes having been registered against the accused, and there being *prima facie* case, the

accused, who is in the custody less than 02 (two) months, is not entitled to be released on bail, at this stage. Hence, the following order:-

: ORDER :

The application is rejected.

Mangaon.
Date: 20.03.2026.

(S. T. Bhalerao)
Additional Sessions Judge,
Mangaon, Dist. Raigad.