

MHRG170005832023



**IN THE COURT OF ADDITIONAL SESSIONS JUDGE, PANVEL,**  
**RAIGAD, AT : PANVEL**  
**ORDER BELOW EXHIBIT NO. 150**  
**IN SPECIAL CASE (MCOCA) NO.58/2023**  
**(DATED 16/02/2026)**

The applicant Jitendra Dattatray Deshmuh @ Bala Dattatray Deshmukh has filed present application for regular bail U/Sec.483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

2. In short the prosecution case is that, on 09/11/2021 at about 01.00 a.m. co-accused Nilesh Dattatray Deshmukh and Uttam Vitthal Deshmukh went to informant's stone quarry. They threatened the informant and demanded a ransom of 10 Lakhs rupees. They also threatened the informant by saying that he should allow co-accused Dhanesh Thora to excavate stones from half portion of his quarry.

3. Further it is the case of prosecution that on 14/12/2021 at about 05.00 to 05.30 p.m. present applicant, Vikrant Deshmukh, Parshuram Mokal, Vijay Kale and Gopal Ingale went to informant's stone quarry in Tata Sumo vehicle. They put the board of police on dash board of the vehicle.

When informant went towards them to have a talk, they threatened him at the point of pistol and demanded ransom of Rs.10 Crore. They abducted the informant and confined him in one house situated on Ambadi Shirsat road. After receiving ransom of Rs.50 Lakhs they released informant on 15/12/2021.

4. Further it is the case of prosecution that they again demanded ransom of Rs.30 Lakhs. Co-accused Dhanesh Thorat asked the informant to pay the ransom every month and since then co-accused Nilesh Deshmukh has been accepting ransom of Rs.35,000/- per month. Being aggrieved the informant Manoj Mahadev Angre on 04.10.2022 set the criminal law into motion by lodging detailed report against applicant and co-accused with Nhavasheva police Station. On the basis of report so lodged by informant an offence came to be registered against applicant and co-accused vide C.R.No.159/2022 for the offences punishable sections 364(A), 387, 120(b), 342, 323, 109, 506 r.w. 34 IPC & u/s.3 & 25 of the Arms Act.

5. During the course of investigation it was revealed that present applicant and co-accused formed a Syndicate for committing organized crime and gained pecuniary benefit from the commission of said crime. It was also revealed during the course of investigation that the present applicant and co-accused sold stones excavated from the quarry of informant

and deposited the sale proceeds to the tune of Rs.2,14,06,918/- in bank account No.920020072218878 standing in the name of co-accused Dhanesh Thorat and in the bank account bearing No. 920020072218892 standing in the name of co-accused Jagruti Thorat. Therefore offences punishable under sections 3(1)(ii), 3(2) & 3(4) of the Maharashtra Control of Organized Crime Act, 1999 (hereinafter referred to as MCOCA) came to be attracted against applicant and co-accused.

6. Heard Ld. Advocate Smt. Harshada More for the applicant and Ld.Spl.PP Shri.Mahesh Mule for the opponent state. Perused application, say filed by opponent state vide Exh.153 and material placed on record.

7. Smt. More submitted that the applicant has no concern with the crime in question. Nowhere in the charge-sheet accusations have been leveled against applicant to show that he was involved in the conspiracy. Smt. More further submitted that there is inordinate delay in lodging an FIR. The informant has not given any plausible explanation for the said delay. Smt.More further submitted that the present applicant never demanded ransom from informant. The informant was using the land of applicant co-accused Vikrant Deshmukh, Nilesh Deshmukh and Uttam Deshmukh to access his land, therefore he was crediting an amount to the tune of Rs.35,000/- per

month in their bank account towards rent. Smt.More further submitted that offences punishable under Arms Act and MCOCA are not attracted against the applicant. No incriminating articles have been recovered at the instance of applicant. He came to be arrested in connection with the crime in question on the basis of statement made by informant. Smt.More further submitted that allegations leveled in the FIR do not warrant the invocation of MCOCA Act against the applicant as he is neither running any syndicate nor shown as a gang leader nor a prime accused for the crime in question. There is nothing on record to show that applicant is a beneficiary of the alleged ransom amount. No recovery has been effected from the applicant. Smt.More further submitted that the investigation is complete and charge-sheet has been filed in Special Court. Co-accused Uttam Deshmukh has been released on bail by the Hon'ble High Court. The role of present applicant is at par with co-accused Uttam Deshmukh. Therefore on the ground of parity also the applicant is also entitled to be enlarged on bail. Since 07/02/2023 the applicant is languishing in the jail. In view of aforesaid circumstances further detention of applicant in jail is not required. He is ready to abide by the terms and conditions which may be imposed by the Court. Hence, Smt.More prayed that the applicant be enlarged on bail.

8. Per contra, Shri. Mule, Ld. Spl.PP vehemently argued that the offence is serious. Applicant is one of the prime accused. Shri.Mule further argued that present applicant and co-accused captured the quarry of informant, they were excavating stones from the quarry and selling it to “Sai Construction”. The amount of excavated stones was being deposited in the bank accounts linked to “Gururaj Infra” and “Jagruti Enterprises” through cheque. Shri Mule further argued that on verification of CDR/SDR of mobile phone of applicant it was revealed that at the time of commission of crime in question, the present applicant was in contact with other co-accused. Shri Mule further argued that statement of witnesses specifically show that the applicant had taken active participation in the crime in question alongwith other co-accused. It also reveals from confessional statements of present applicant, Vijay Kale and Parshuram Mokal that they were staying in the house of co-accused Dhanesh Thorat, and Jagruti Thorat at Manchar, Tal. Ambegaon, Dist. Pune. Thus, it clearly seems that the present applicant is one of the members of organized crime syndicate. He has antecedents. Considering the aforesaid circumstances, if he is released on bail, definitely he will indulge again in similar kind of activities. The applicant and material witnesses are resident of same locality. In such circumstances there is strong possibility that applicant may bring pressure on material witnesses. The possibility of applicant jumping the bail also cannot be ruled out. Hence,

Shri. Mule prayed that the application be rejected.

9. I have carefully heard submissions advanced by both the Ld. Advocates. I have also gone through the material placed on record. On perusal of papers it appears that, applicant is one of the prime accused. Further it seems that applicant alongwith co-accused forcibly excavated stones from the quarry of informant by extending threats of dire consequences to him and sold excavated stones to "Sai Constructions". CDR and SDR reports of mobile phones of applicant and co-accused show that while committing the crime in question they were in contact with each other. The material available on record prima-facie shows that the applicant was the member of organized crime syndicate and several offences have been registered against him from which it can be easily inferred that the applicant is continuously involved in unlawful activities as a member of organized crime syndicate by using violence, threat with the object of gaining pecuniary benefits or gaining undue economic or other advantage for himself and any other person or promoting insurgency. Taking into account the aforesaid aspects, in my view, if the applicant is enlarged on bail, definitely he will leave no stone unturned to win over material witnesses. The possibility of his jumping the bail also cannot be ruled out. Likewise, there is strong possibility of applicant committing similar offence while on bail. In view of above, I am not

inclined to enlarge the applicant on bail. Resultantly, I pass the following order.

**ORDER**

The application stands rejected.

Panvel  
Date :- 16/02/2026

( S. R. Ugale )  
Special MCOCA Judge,  
Panvel.

**CERTIFICATE**

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

Name of Stenographer : S.J Sheth Steno(Grade-1)  
Name of Court : District Court-1 & Additional  
Sessions Court, Panvel  
Date of Dictation (direct) : 16/02/2026  
Order signed by the PO on : 16/02/2026  
Order uploaded on : 17/02/2026