

MHST190000992026

IN THE COURT OF ADDL. SESSIONS JUDGE,  
WAI, AT WAI  
CRIMINAL BAIL APPLICATION  
NO. 31 OF 2026



**Tushar Balasaheb Tate,**  
Age 39 years, Occ. Business  
R/o. 34, Shaniwar Peth,  
Satara.

... Applicant

**..Versus..**

**State of Maharashtra**  
(at the instance of the P. I.  
Police Station Wai.)

... Non-applicant

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

**(A) CASE DETAILS**

|                                 |  |
|---------------------------------|--|
| FIR No. & Date                  | C.R.No.29/2026 dated 02.02.2026                                      |
| Police Station District & State | Wai Police Station, Taluka Wai, District Satara, State- Maharashtra. |
| Section invoked                 | 420, 406 read with 34 of Indian Penal Code.                          |
| Maximum Punishment prescribed   | Imprisonment for seven years.  |

**(B) CUSTODY & PROCEDURAL COMPLIANCE**

|                                       |   |               |
|---------------------------------------|---|---------------|
|                                       | Date of Arrest  | NA            |
|                                       | Total period of custody undergone   | NA            |
| <b>(C) STATUS OF TRIAL</b>            |   |               |
|                                       | Stage of proceeding (Investigation / Charge-sheet / Cognizance / Framing of Charges / Trial | Investigation |
|                                       | Total number of witnesses cited in the charge-sheet.  | NA            |
|                                       | Number of prosecution witnesses examined  | NA            |
| <b>(D) CRIMINAL ANTECEDENTS</b>       |   |               |
|                                       | FIR No & Police Station   | NA            |
|                                       | Status (Pending / Acquitted / Convicted)  | NA            |
| <b>(E) PREVIOUS BAIL APPLICATIONS</b> |   |               |
|                                       | Court   | NA            |
|                                       | Case No.  | NA            |
|                                       | Outcome of case   | NA            |
| <b>(F) COERCIVE PROCESSES</b>         |   |               |

|   |    |
|---|----|
| Whether any Non-Bailable Warrant was issued | NA |
| Whether declared as proclaimed offender     | NA |

**ORDER BELOW EXH.1**

(Passed on this 18.03.2026)

The applicant-accused Tushar Balasaheb Tate has filed this application under Section 438 of Code of Criminal Procedure ('Cr.PC.' for short) for pre-arrest bail, apprehending his arrest in connection with Crime No.29/2026 registered with Police Station, Wai for the offences punishable under Sections 420, 406 read with 34 of Indian Penal Code ('I.P.C.' for short).

**2]** It is contended that the applicant-accused has been falsely implicated in the said crime. There is unexplained delay in lodging the FIR. There is no need of custodial interrogation of the applicant-accused. The applicant-accused has no criminal antecedents and he is ready to co-operate for investigation. It is further contended that the father of the applicant-accused is no more and his mother is physically disabled woman. There is nobody in his family to look after her.

**3]** The Investigation Officer filed reply vide **Exh.8** and resisted this application by contending that the investigation of the crime is going on. If the applicant-accused is granted protection of pre-arrest bail, then the possibility of disposing off the misappropriated gold, cash amount and the vehicle, so also the possibility of threatening the prosecution witnesses and

tampering with the prosecution evidence cannot be ruled out. So urged to reject the application.

4] The defacto informant filed say vide **Exh.9**. She too resisted the application by contending that for thorough investigation, custodial interrogation of the applicant-accused is necessary. So urged to reject the application.

5] Heard the Ld. Advocate appearing for the applicant/accused and Ld. A.P.P. appearing for the prosecution. Gone through the material on record.

6] The defacto informant Sou. Seema Sachin Jamdade has alleged that she is running hotel, her husband is serving in Satara Police. A co-accused Sampat Ekanath Bhosale is also serving in Satara Police as the Police Sub-Inspector and she knows him. On 15.12.2024, she had filed complaint for the offence punishable under Section 406, 411 of the I.P.C. by email against the applicant-accused Tushar Tate and co-accused Sampat Bhosale and Ajinkya Jadhav, however, no crime has been registered by the police. So, she filed an application before the Judicial Magistrate, (F.C.) Wai for direction of investigation under Section 156(3) of the Cr.P.C. The said application was allowed on 16.01.2026. Thereafter, police called her and got her complaint.

It is further contended that Yogesh Pardeshi is her deemed brother (गुरुभाऊ). She had given him 7.5 Lacs rupees to purchase the vehicle Innova Cresta No.MH-11/CQ-8291. Accordingly he has purchased the said vehicle in January-2019 and he had given the said vehicle to informant Seema for

her hotel business. On 01.04.2019, co-accused Sampat Bhosale, friend of her husband Sachin came at her Srika Hotel, Shahabaug Phata, Wai and asked for her said vehicle for some days. He gained her confidence by stating that, he has already told her husband Sachin and taken away the said vehicle Innova Cresta No.MH-11/CQ-8291. He gave said vehicle to the present applicant-accused. After some days, co-accused Sampat came to the informant and asked for financial assistance to pay the fees of his son, taking medical education in Russia. That time, the informant gave him 12 Tola & 7 Gram gold to him. Thereafter, also the co-accused Sampat again requested for money due to the reason that he was admitted in the hospital at Karad for COVID-19 disease. That time, her husband sent him 2 to 3 Lac rupees on Google-pay application. In this way, the co-accused had taken her vehicle Innova Cresta No.MH-11/CQ-8291, gold/ornaments and cash amount of 2 Lac rupees. Thereafter, the informant repeatedly asked for return of her vehicle, gold and cash amount, but the accused gave false promise to return it and then denied. In this way the applicant-accused and co-accused committed the offence of misappropriation of the amount, golden articles and vehicle and cheated the informant.

7] On perusal of the allegations in the FIR it appears that, all the allegations are mainly against the co-accused Sampat Bhosale. Further the alleged incident was occurred before 15.10.2024 and it shows about delay in lodging the FIR or approaching to the police authority. Here, it is pertinent to note that the informant is not illiterate or rustic villager but she is the wife of a police personnel and she is running a hotel. The punishment provided to the alleged offence is not death or imprisonment for life. The applicant-accused is ready to co-operate for the investigation. In such

circumstances, from the allegations in the FIR, it appears that there is no necessity of custodial interrogation of the applicant-accused. The applicant-accused deserves for the protection of pre-arrest bail. Hence, the following order.

### ORDER

1. The application is hereby allowed.
2. In the event of arrest of the applicant-accused **Tushar Balasaheb Tate** in C.R.No.29/2026, registered with Wai Police Station, for the offences punishable under Sections 420, 406 read with 34 of Indian Penal Code, be enlarged on bail on executing P.R.Bond of Rs.20,000/- with surety in the like amount on following conditions.
  - A. The applicant-accused shall co-operate for the investigation.
  - B. The applicant-accused shall not leave India without prior permission of this Court.
  - C. Applicant-accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court.
3. Inform accordingly to the Investigating Officer.

*(Dictated and pronounced in open Court.)*

Wai  
Date: 18.03.2026

(D.B.Mane)  
Addl. Sessions Judge, Wai..