

IN THE COURT OF ADDITIONAL SESSIONS JUDGE, PHALTAN.
Criminal Bail Application No. 49 of 2026

Vishal Chandrakant Dixit

..Applicant.

V/s.

State of Maharashtra

..Respondent

Mr. A. D. Nanaware, Advocate for the applicant.

Ms. M.H. Oak, Addl. PP for the State.

Coram: Mr. S. R. Tamboli,
The Addl. Sessions Judge, Satara,

::ORDER BELOW EXH.1::

1. The present application is filed by the applicant seeking anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita

2. In brief, the case of the prosecution is that the informant Pushpalata Bhoite, resident of Shukrawar Peth, Phaltan, had rented a room to the accused Vishal Chandrakant Dixit during the period from 2006 to 2020. The accused used to assist her in household work. The informant was having a bank account with IDBI Bank and she had handed over her ATM card to the accused from time to time as she had trust in him. The accused used to withdraw money from the said account on her instructions. On 01.01.2020, the accused left the rented room. Thereafter, the informant came to know that the accused had withdrawn an amount of Rs. 2,38,920/- from her IDBI Bank account without her

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consent and had not returned the said amount. On being demanded, the accused paid Rs. 1,35,768/-, however he failed to return the remaining amount of Rs. 1,03,152/-. The daughter of the informant, Amruta, was also having a bank account in IDBI Bank and she had also handed over her ATM card to the accused. The accused withdrew an amount of Rs. 1,32,289/- from the said account and refused to return the same. Hence, the present FIR came to be registered.

3. Mr. A. D. Nanaware, learned counsel for the applicant, submitted that the husband of the complainant had earlier filed a written complaint dated 08.10.2025 before Phaltan City Police Station alleging fraudulent withdrawal of money and theft of gold ornaments. Pursuant to the said complaint, discussions and settlement took place between the parties. As a part of the settlement, the applicant issued 10 cheques of Rs. 45,256/- each in favour of the complainant. Out of the said 10 cheques, 4 cheques have already been encashed by the complainant. This demonstrates that the applicant has been repaying the amount and had no dishonest intention. The remaining 6 cheques are still with the complainant, and therefore the complainant has an effective legal remedy in case of dishonour of the cheques. In the earlier complaint dated 08.10.2025, allegations were made regarding theft of gold ornaments as well. However, in the present FIR, the allegations are restricted only to withdrawal of money and there is no allegation regarding theft of ornaments. There is delay in lodging the FIR, there are no criminal antecedents against the ap-

plicant, and no offence under Section 406 of the IPC is made out. Hence, anticipatory bail may be granted.

4. Per contra, Ms. M. H. Oak, learned APP for the State, submitted that the offence alleged against the applicant is serious in nature. The applicant is involved in the case and there is a prima facie case against him. Custodial interrogation of the applicant is necessary. There is also a possibility that the applicant may tamper with the evidence. Hence, the application deserves to be rejected. The applicant has admitted that he has returned certain amount to the informant. This circumstance prima facie indicates that the applicant had withdrawn the amount from the account of the informant. The Investigating Officer may have to recover the remaining amount and therefore custodial interrogation may be necessary.

5. However, the FIR shows that the alleged incident occurred prior to 01.12.2020, and more than five years have passed since then. Certain amount has already been paid to the informant. The documents placed on record indicate that the cheques were issued to the husband of the informant.

6. The earlier complaint filed by the husband of the complainant also included allegations regarding theft of gold ornaments. In the backdrop of the earlier dispute, the possibility of exaggeration of the allegations cannot be ruled out. The FIR itself indicates that the informant used to hand over the ATM card to the applicant from time to time and it was not in the exclusive possession of the applicant. The investigation can be completed even without arrest of the applicant. The offence alleged is not punish-

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able with imprisonment exceeding seven years. The applicant has a permanent residence and no criminal antecedents are reported against him. Therefore, I am inclined to grant anticipatory bail to the applicant. Hence, the following order:

ORDER

1. The application is allowed.
2. Anticipatory bail is granted to the applicant Vishal Chandrakant Dixit in Crime No. 75/2026, Phaltan City Police Station, registered for the offence punishable under Section 406 of the IPC, and in the event of his arrest in the said crime, he shall be released on furnishing P.R. Bond and S.B. of Rs. 50,000/-, subject to the following conditions:
 - (a) The applicant shall not pressurize the witnesses and shall not tamper with the prosecution evidence.
 - (b) The applicant shall attend the concerned Police Station as and when called by the Investigating Officer.
 - (c) The applicant and his surety, if any, shall furnish their addresses and mobile numbers and shall not change their residence till the conclusion of the trial without informing the concerned Police Station.
3. Issue intimation of this order to the concerned Police Station.


16.3.2026

(S.R. Tamboli)

I/c Additional Sessions Judge,
Phaltan.

Place : Satara.

Date : 16.03.2026.