

MHNG010081332026



Presented on : 08.07.2026

Registered on : 08.07.2026

Decided on : 13.07.2026

Duration : YY MM DD

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**IN THE COURT OF DISTRICT JUDGE – 22 AND ADDITIONAL SESSIONS
JUDGE, NAGPUR.**

(Presided over by K.H.Thombre.)

CRIMINAL BAIL APPLICATION NO. 2118/2026. Exhibit No. 1

[Delivered on this 13th day of July, 2026]

1.	Sau. Vishakha Deepak Bhosale Aged 59 years, Occ.: Household, R/o Flat No.401, Plot No.05, Dinprajahit, Society, Narendra Nagar, Nagpur	
2.	Deepak Shankarrao Bhosale Aged 61 years, Occ.: Retired person, R/o Flat No.401, Plot No.05, Dinprajahit, Society, Narendra Nagar, Nagpur	Applicants.
	:: VERSUS ::	
	The State of Maharashtra Through PSO Sonegaon, Tah. & Dist. Nagpur.	Respondent.

A) CASE DETAILS

FIR Number & Date	85/2026
Police Station, District & State	Sonegaon, Tah.& Dist. Nagpur.
Sections invoked	318, 316 (2), 3(5) of BNS
Maximum punishment prescribed	Imprisonment upto 7 years.

B) CUSTODY & PROCEDURAL COMPLIANCE

Date of arrest	NA
Total period of custody	NA

C) STATUS OF TRIAL	
Stage of proceedings	Investigation.
Total number of witnesses cited in the charge-sheet	NA
Number of prosecution witnesses examined	NA
D) CRIMINAL ANTECEDENTS	
FIR No. & Police Station	RCC NO.300127/2015, State / Deepak
Sections	420 IPC
Status	Pending.
E) PREVIOUS BAIL APPLICATIONS	
Court	CJM
Case No.	RCC No.300127/2015
Outcome of case	Pending
Name & Designation of Judicial Officer who passed the previous order	2 nd Additional CJM.
F) COERCIVE PROCESSES	
Whether any Non-Bailable Warrant was issued	NA
Whether declared a proclaimed offender	NA

BAIL APPLICATION UNDER SECTION 482 OF THE BHARATIYA NAGARIK SURAKSHA SANHITA, 2023

Learned advocate for the : Shri. A. A. Patil
Applicant.

Learned APP for the : Shri N. M. Lati
Respondent.

ORDER
(Delivered on 13th July, 2026)

Applicants/ accused have filed this application under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of bail in Crime No.85/2026 for an offence punishable under section 318, 316 (2), 3(5) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (in short BNSS) registered at Sonegaon police station, Nagpur.

2. Beginning with the contents of FIR lodged by informant in the year 2007 the informant intended to purchase a plot. The informant met with one broker Raju Dhanorkar and purchased plot No.5 out of Kh.No.55 of Mouza Somalwada by registered sale deed dated 27.04.2007 from Bhojraj Nattuji Navnage through power of attorney Sunita Navnage. In the year 2017 the informant intended to sale the said plot therefore he approached to same broker Raju Dhanorkar. On the advise of Raju Dhanorkar instead of selling the plot to construct flat scheme and keep the flat and some amount by entering into such agreement. The informant met with applicant through Raju Dhanorkar. A registered development agreement is executed in between the informant and the applicant on 17.09.2017 thereby it was agreed that the informant will construct flat scheme of four flat and one flat will be sold to the informant and remaining amount of Rs.22,50,000/- will paid in cash. The applicant could not able to complete the flat scheme due to lack of funds. The informant asked his daughter to purchase one flat for financial support for construction of scheme. The daughter of informant Dr. Priya Gohkar entered into notarized agreement of sale and agreed to purchase flat No.2 for Rs.48,00,000/-. The amount was transferred intermittently and it was agreed that Rs.8,00,000/- to be paid at the time of sale deed.

3. Then again applicant taken hand loan of Rs.8,00,000/- by executing credit receipt dated 20.03.2020 to meet the expenses of education of their son who is studying in Russia. Then again the applicant approached to the informant to meet the expenses of their development scheme at Babulkheda at plot No.43-D and requested to pay amount of Rs.10,00,000/-. As a security for this amount the applicant shown their willingness to execute agreement to sale in favour of informant. On 01.12.2022 a notarized development agreement was executed in between the informant and the applicant. The informant paid Rs.10,00,000/- to the applicant. Thereafter the informant asked the applicant to pay Rs.58,00,000/-. The applicant executed power of attorney of plot No.43 in favour of the applicant though the said plot was mortgaged for Rs.31,00,000/-. On these allegations, FIR came to be registered against the applicant.

4. Investigation Officer and learned APP has filed their say below Exh.5. thereby opposed the application. It is submitted by learned APP that the IO has issued notice to the applicant to submit documents. The applicant appeared once in response to the notice however failed to file documents as required by the IO. The applicants have criminal antecedent as offence is registered against applicant No.2 and his daughter under section 420 of IPC at Sonegaon PS. As the applicant has failed to cooperate with the IO the bail application is liable to be rejected.

5. Learned advocate for the accused Mr. A. A. Patil submitted that the offences are punishable upto 7 years imprisonment, one civil suit is also filed in respect of the same subject matter. It is further argued by the learned advocate that the investigation is in respect of the documents which are readily available with the concerned authority. The nature of transaction is of civil nature and given colour of criminal offence. The

applicants are ready to abide by the condition which will be imposed in the event of grant of bail.

6. Learned APP Mr. N. M. Lati argued as per say along with the IO.

7. Perused case diary. Heard both the parties. An offence is registered against the applicants under section 406, 420 r/w 34 of Indian Penal Code. It is alleged that the offence is committed in the year 2022. As per nature of transaction in between the informant and the applicants is in respect of sale or purchase of immovable property and also of hand loan. The documents which are required for investigation were called upon to be submitted before the IO. The nature of transaction and the allegations revealed the documents are easily available with the concerned authorities. The investigation can be completed by collecting the documents. The allegations of intention of the accused is concerned can be revealed during the trial. The nature of transaction is in the form of documents, the documents are easily available with concerned authorities and the applicants are also ready to submit the documents to the IO which are required by him. On these allegations and the nature of transaction revealed that the custodial interrogation of the accused is not necessary. Accused are entitled to be released on anticipatory bail on conditions. Following order is passed --

Order

1.	Criminal Bail Application No.2118/2026 is allowed.
2.	The applicant Sau. Vishakha Deepak Bhosale and Deepak Shankarrao Bhosale be released on bail in the event of arrest in crime No.0085/2026 registered with police station Sonegaon, Nagpur, on executing P. R. bond of Rs.50,000/- (Rupees Fifty Thousand only) and S. B. Bond of like amount each.

3.	The applicants are directed to submit the documents which are with them to the Investigation Officer as and when called till filing of charge-sheet.
4.	Applicants shall cooperate with police and shall appear before the police as and when required.
5.	The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade from disclosing such facts to the court or to any police officer or tamper with the evidence.
6.	Breach of any of the conditions shall entail the State to apply for cancellation of bail.

Nagpur.
Date : 13.07.2026

(K.H.Thombre)
District Judge-22 &
Addl. Sessions Judge,
Nagpur

CERTIFICATE

I affirm that contents of this P.D.F. file of Judgment are word to word, as per original Judgment.

Name of Stenographer : Mrs. B. P. Chinchalkar
(Grade-I)