

vaishnavi

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1550 OF 2026

Talakaram Tolaram Prajapati

...Applicant

V/s.

State of Maharashtra

...Respondent

Mr. Yash Jain, for the Applicant.

Ms. Megha S. Bajoria, APP for the Respondent – State.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 23rd SEPTEMBER, 2026.

P.C. :-

1. Heard learned counsel for applicant as well as learned APP for respondent.
2. The applicant is seeking pre-arrest bail in connection with Crime No. 1359 of 2025 registered with LT Marge Police Station for offences under Section 316(5), Section 318(4) and 3(5) of BNS, 2023,
3. The FIR is registered on the basis of report lodged by the complainant who is in the business of sale and purchase of gold, by name M/s. Shree Laxmi Jewellery, Mumbai. It is alleged in the report that during the period from 14th June 2025 to 1st September 2025, accused no. 1 had purchased gold jewellery from the complainant and

had made payments through RTGS. It is alleged that several transactions were made in between the complainant and the accused persons however, the accused persons did not take the amount towards purchase of gold jewellery worth Rs. 2 Crores. On the basis of these allegations, the offence is registered against two accused persons. This applicant is not named in FIR.

4. The learned counsel for applicant submits that this applicant is an employee of the complainant since last about 20 years. He submits that name of this applicant is involved only on the basis of allegation that he has acted in collusion with the accused persons. He submits that there is nothing to show that he has played any kind of role in the entire transaction and thus cannot be held responsible for non-payment of amount by those persons.

5. Apart from this, he submits that this applicant has joined the investigation and has attended Police Station in accordance with interim protection order dated 18th June 2026. He therefore prays for confirmation of the interim protection.

6. Learned APP for respondent submits that the allegations in the FIR are namely against accused no. 1 and 2, who had purchased the golden ornaments. It is submitted that the applicant is an employee in the shop of the complainant. She submits that the

investigation in the matter is complete and charge sheet is filed against the other accused persons. There is no dispute that the transactions of the sale of gold was with the accused no. 1 and 2 and this applicant is only an employee at the complainants shop.

7. On perusal of the FIR and the allegations, it appears that the main transaction is with the accused no. 1 and 2. There is nothing to show that this applicant has acted in collusion with the accused persons. The grievance of the complainant about non receipt of money could be against the accused no. 1 and 2 who have purchased the golden ornaments.

8. Considering the fact that the investigation in the matter is complete and the charge sheet is filed against the other two accused persons and considering the fact that this applicant has extended the cooperation by attending the Police Station, his personal liberty needs to be protected by granting anticipatory bail.

9. Hence I pass the following order:

: ORDER :

- (i) Anticipatory Bail Application is allowed.
- (ii) In the event of arrest of the applicant in connection with Crime No. 1359 of 2025 registered with LT Marge Police Station for offences under Section 316(5), Section 318(4) and 3(5) of BNS, 2023,

the Applicant may be released on bail on furnishing P.R. Bond of Rs. 25,000/- (Rupees Twenty Thousand only) with one solvent surety of the like amount.

(iii) The applicant is directed to attend the Investigating Agency as and when called upon by the Investigating Agency.

(iv) The applicant shall cooperate with the Investigating Agency during investigation and trial.

10. The Application is accordingly allowed and disposed of in above terms.

(PRAFULLA S. KHUBALKAR, J.)