

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1857 OF 2015**

Ravindra Lalchand Karnavat

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. P. M. Arjunwadkar for the Applicant

Mr. Y. M. Nakhwa, A.P.P for the Respondent-State

***CORAM : REVATI MOHITE DERE, J.
THURSDAY, 7th APRIL, 2016***

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R No. 148 of 2012 registered with the Khed Police Station, Pune, for the alleged offences punishable under Sections 419, 420, 337, 438, 471, 120B r/w Section 34 of the Indian Penal Code.
3. The complainant Shashikant Bharat Chavan, Assistant Police Inspector has lodged a complaint on 16th October, 2012 as against Rajendra

Dhanvat and Rajendra Shevkari. It is alleged by the complainant that the said persons along with other unknown persons forged the documents and got the said documents notarised and produced the said documents before the Sub-Divisional Officer, Khed and on the basis of those documents, obtained requisite permission for developing the land in question.

4. Learned Counsel for the applicant submitted that the applicant is, in no way, concerned with the alleged offence. He submitted that the stamp was purchased on 16th September, 2004 and was registered on 22nd September, 2004. He submits that it appears that inadvertently, the stamp showed on the notarised document is 2nd September, 2004. He submitted that when the stamp was purchased on 16th September, 2004, there was no question of notary document being signed on 2nd September, 2004. He submitted that on the face of it, it is an inadvertent mistake. He submitted that the document on page 30 which is the Notary Register, shows an entry of 16th September, 2004 of document No. 4119. According to him, even the complainant has not made any allegations *qua* the applicant and it is not the case of the complainant that the document was ante-dated.

5. Learned A.P.P has filed the affidavit of Vinayak Shahadeo Dhakne, Sub-Divisional Police Officer, Taluka Khed, District Pune Rural. According to the affidavit, the document i.e. Consent Deed is a fabricated document and that the said document was ante-dated and the applicant was responsible for the same.

6. Perused the papers. The documents pertaining to the applicant including the Notary Register is in the custody of the police. The Notary Register shows that on 16th September, 2004, there is a entry being Entry No. 4119. The possibility of an inadvertent mistake occurring in the date, cannot be ruled out.

7. Considering the aforesaid, the custody of the applicant is not required. Accordingly, the application is allowed and the applicant is granted anticipatory bail on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount;

(ii) The applicant shall report to the Investigating Officer as and when called, till the filing of the charge-sheet;

(iii) The applicant shall not tamper, attempt to influence or contact the complainant, witnesses or any person concerned with the case.

8. The Application is allowed in the aforesaid terms and is accordingly disposed of.

9. It is made clear that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

10. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.