

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
NAGPUR BENCH, AT NAGPUR.**

**CRIMINAL APPLICATION (ABA) NO. 18 OF 2020**

(Ravindra s/o Dhanraj Chavan ..vs.. State of Maharashtra, through PSO, PS Samudrapur)

Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders

Court's or Judge's orders

Shri B.B. Pantawane, Counsel for the applicant,  
Shri S.M. Ghodeswar, Addl.P.P. for the non-applicant.

**CORAM : ROHIT B. DEO, J.**

**DATED : 25-02-2020**

The applicant is apprehending arrest in connection with Crime 510/2019 registered at Police Station Samudrapur for offences punishable under Sections 420, 467, 468, 471 read with Section 34 of the Indian Penal Code.

2. The first information report is registered pursuant to report lodged by Kunal Gowarkar. The gist of the report is that the brother of Kunal, who is arrayed as accused 1, alongwith the other accused forged and fabricated Aadhaar Card in the name of the complainant Kunal and deceased Vidhya, who was the mother of the complainant and accused 1-Mahesh and executed sale-deed qua the agricultural land.

3. The role attributed to the present applicant in the first information report is that he acted as one of the brokers. The specific role is that the applicant forcibly

took the complainant to the office of the Registrar and obtained his signature. However, in the statements recorded in the investigation, there is total change in the version of the complainant and the witnesses. In the investigation, it is alleged that the Aadhaar Card, which was forged and which was prepared by accused 9, was in the possession of the present applicant. The Aadhaar Card was shown by the present applicant to the Registrar and then received back. Shri S.M. Ghodeswar, learned Additional Public Prosecutor would vehemently submit, that the custody of the present applicant is necessary to recover the Aadhaar Card. I have noted that no such role is attributed to the applicant in the first information report.

4. In this view of the matter, I am satisfied that the applicant has made out a case for grant of anticipatory bail. In any event, the well recognized concept of deemed custody may be fruitfully availed by the investigating agency, if at all, the allegation that the applicant is in possession of the Aadhaar Card is of any substance.

5. The application is allowed.

6. In the event of arrest in Crime 510/2019 registered at Police Station Samudrapur, the applicant shall be released on furnishing personal bond of

Rs.25,000/- with one solvent surety of like amount.

7. The applicant shall attend Police Station Samudrapur once in two weeks on Monday till the filing of the charge-sheet and shall cooperate with the Investigating Officer.

8. It is clarified that the applicant shall additionally attend the Police Station Samudrapur as and when directed by the Investigating Officer.

**JUDGE**

*adgokar*