

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO.1427 OF 2022

**SANDIPAN NAMDEO SALUNKE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Advocate for Applicants : Mr. H. D. Deshmukh
APP for Respondents – State : Mr. V. S. Badakh
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 16th NOVEMBER, 2022

PER COURT :

1. After arguing for some time, when this Court was not inclined to grant relief to applicant No.1, learned advocate for applicants, on instructions, seeks permission to withdraw application to the extent of applicant No.1. Permission granted. Application of applicant No.1 Sandipan Namdeo Salunke is disposed of as withdrawn.

2. It is alleged in the FIR that applicant Nos. 1 to 5 being plaintiffs in Regular Civil Suit No.92/2022, have produced forged death certificates of father and grandfather, namely Namdeo Maroti Solunke and Maroti Dhuraji Solunke. When the informant inquired with village Panchayat, he was informed that there is no entry of death of Namdeo and Maroti with Gram Panchayat and no death certificates are issued by Gram Panchayat. On the basis of said

information given by informant, offence at C.R. No.0194/2022 is registered with Hasanabad Police Station, Bhokardan, Jalna, under Sections 420, 464, 465, 467, 468, 471, 120-B read with 34 of the Indian Penal Code.

3. Heard learned advocate for applicants and learned Additional Public Prosecutor for respondents – State. Perused the investigation papers.

4. From the investigation papers, *prima facie* it appears that applicant No.1 is instrumental in producing alleged forged death certificates of the father and grandfather. Applicant No.2 is wife of Ashok deceased brother of applicant No.1 and applicant No.3 is son of deceased Ashok. They are residents of Jalna. Applicant Nos. 4 and 5 are married daughters of deceased Ashok. Applicant No.4 is resident of Aurangabad and applicant No.5 is resident of village Nagarsul, District Nashik. *Prima facie*, it appears that applicant Nos. 2 to 5 have not played any active role in the alleged offence.

5. Applicants were granted interim protection and were directed to attend concerned police station, which the applicants have done. Learned Additional Public Prosecutor confirms this fact. Custodial detention of applicant Nos. 2 to 5 is not warranted in the facts of the present case. Application of applicant Nos. 2 to 5 is,

therefore, allowed by confirming the interim order passed by this Court on 20/10/2022. Till filing of charge-sheet, applicants shall attend the concerned police station as and when called by Investigating Officer.

(NITIN B. SURYAWANSHI, J.)

SVH