

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 1810 OF 2022

Gotiram Asaram Badhe	...Applicant
Versus	
The State Of Maharashtra	...Respondent

**WITH
CRIMINAL BAIL APPLICATION NO. 2819 OF 2022**

Mahesh Chandrakant Parge	...Applicant
Versus	
State Of Maharashtra	...Respondent

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Mr. Satyavrat Joshi i/by Mr. Nitesh Mohite, Advocate for the Applicant in BA/1810/2022.

Mr. Ashish Vernekar Advocate for applicant in BA/2819/2022..

Mr. N. B. Patil, APP for the Respondent – State.

API Ranaware Haveli police station, present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 18th OCTOBER, 2022

PER COURT:

1. These are applications for bail in connection with C. R. No. 34 of 2022 registered with Haveli Police Station, Pune for offences punishable under Sections 420, 447, 467, 468, 471 of the Indian Penal Code.

2. The prosecution case is that the informant Mohan Keshav Deshpande is having land at gut No. 100 at village

Gorhe Khurd, Tal- Haveli, Dist. Pune. Two to three months prior to registration of FIR, the complainant brother received phone call from unknown person to inquire about the sale of the said land. Subsequently, it was revealed that the land was sold to accused No.1 Monish Tukaram Kadu and his name was mutated in the column of owner. It was also revealed that one dummy person in place of informant were shown as informant and dummy signatures were obtained. The documents of agreement to sale, power of attorney and sale deed were executed about the said land. Thereafter, the complaint was lodged. The applicants were arrested. On completing investigation, charge-sheet is filed.

3. It is not in dispute that the role attributed to the applicant is that they had signed as witnesses to the fabricated documents.

4. Learned advocate for the applicant submitted that statement of Monish Tukaram Kadu was recorded during the investigation. However, he is absconding. Documents indicate that one advocate Mr. Pandit had also identified buyer and seller. His statement has been recorded.

5. Learned APP submitted that main accused Monish Tukarm Kadu is absconding. The fabricated documents were prepared. The complainant was impersonated. The applicant had played vital role in impersonation.

6. It is pertinent to note that the applicants are not beneficiary of transactions. They are identifying witnesses. Investigation is completed and charge-sheet is filed. It is not reported reported that they have criminal antecedents. Hence, bail can be granted.

ORDER

(i) Criminal Bail Application Nos.1810 of 2022 and 2819 of 2022 are allowed;

(ii) The applicants are directed to be released on bail in connection with C. R. No. 34 of 2022 registered with Haveli Police Station, Pune on executing P.R. Bond in the sum of Rs.20,000/- each with one or more sureties in the like amount;

(iii) The applicants are permitted to furnish provisional cash bail security in the sum of Rs.20,000/- each for a period of eight weeks in lieu of surety.

(iv) The applicants shall report concerned Police Station once in three months on first Saturday of the month between 11:00 a.m. to 1:00 p.m. till further order;

(v) The applicants shall not tamper with the evidence.

(vi) The applicants shall attend Trial Court regularly on the date of hearing of the case unless exempted by the Court for some reason.

(vii) Applications stand disposed of accordingly.

(PRAKASH D. NAIK, J.)