

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.942 OF 2022

Akash S/o Hareshwarrao Shirbhate .Vs. State of Maharashtra, through P.S.O., P.S.
Gadge Nagar, Dist. Amravati

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri P.V. Navlani, Advocate for the applicant.

Shri S.D. Sirpurkar, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 22/08/2022

1. The applicant is seeking bail in Crime No.553 of 2015, dated 26.10.2015, registered with Police Station Gadge Nagar, District: Amravati, for the offences punishable under Sections 420, 468 and 471 of the Indian Penal Code.

2. Shri Navlani, learned counsel for the applicant submits that though the offence was registered on 26.10.2015, he was arrested after seven years. It is submitted that there is no incriminating material against the applicant and he has been falsely implicated in the alleged offence.

3. It is submitted that except the fact that, the applicant signed the sale deed as a witness, no role is attributed to the applicant. In the circumstances, he prays for grant of bail.

4. On the other hand, Shri Sirpurkar, learned APP strongly opposes the present application and submits that in the statements of witnesses they have stated that the applicant is also involved in creating bogus documents and forgery of the same. Accordingly, he prays for rejection of the present application.

5. I have perused the Case Diary and the First Information Report (FIR).

6. In this case, the FIR was registered on 26.10.2015 whereas, the applicant was arrested on 21.06.2022 i.e. after about seven years. On perusal of the case diary, it can be seen that except the fact that, he signed the sale deed as a witness, there is nothing incriminating against the applicant.

7. As far as the statements of witnesses are concerned, there is no definite statement made by any of the witnesses that, the applicant is the person who forged and fabricated the documents as alleged in the FIR. In the circumstances, I am of the opinion that the applicant is entitled for grant of bail. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.

- b) It is directed that the applicant shall be released on bail in Crime No. 553 of 2015, dated 26.10.2015, registered with Police Station Gadge Nagar, District: Amravati, for the offences punishable under Sections 420, 468 and 471 of the Indian Penal Code, on furnishing P.R. Bond of Rs.25,000/- with one solvent surety in the like amount.
- c) The applicant shall attend the concerned Police Station as and when his presence is required.
- d) The applicant shall not tamper with the prosecution witnesses.

The criminal application is **disposed of** accordingly.

[ANIL S. KILOR, J.]