

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.209 OF 2023

Sunita w/o Sandu Babrde

... APPLICANT

VERSUS

The State of Maharashtra & anr.

... RESPONDENTS

.....
Mr. S.M. Kamble, Advocate for applicant
Ms. R.P. Gaur, A.P.P. for respondents
.....

CORAM : R.G. AVACHAT, J.

DATE : 15h MARCH, 2023

P.C. :

Heard. The First Information Report (F.I.R.) has been lodged by the Sub-Registrar, alleging the applicant to have forged the sketch shown to have been issued by the Superintendent of Land Records and the concerned Surveyor. Copy of the document allegedly forged by the applicant is on record.

2. It is submitted by the learned APP that, on the given day i.e. on 3/7/2022, it was Sunday. No measurement in fact

did take place that day. The applicant, only with a view to sell out a particular portion abutting the road in the land Gut No.73, has prepared this forged document and affixed along with the sale deed that was registered. It was later on revealed that the said sketch has in fact not been issued by the authority shown to have issued the same and no measurement did take place on the given date.

3. It is true that the F.I.R. has been lodged by a public servant. There is also substance in the averments in the F.I.R. and contentions made by the learned A.P.P. The fact is that the applicant is a woman. She is a widow. The document allegedly forged is available with the investigating officer. He may obtain specimen handwriting of the applicant to ascertain whether the document was really forged by her or anyone else at her behest. Suffice it to say that the case is based on documentary evidence. The applicant being a woman, the Court is inclined to allow the application. Hence the order :

ORDER

- (i) The application is allowed.
- (ii) The order dated 15/2/2023, granting interim anticipatory bail granted to the applicant is made absolute.

(iii) The applicant shall not tamper with the prosecution evidence and shall appear before the investigating officer as and when required.

(R.G. AVACHAT, J.)

fmp/-