

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

BAIL APPLICATION NO.1707 OF 2023

RAMESH BALIRAM SUNAPE

... Applicant

VERSUS

THE STATE OF MAHARASHTRA

... Respondent

...
Mr. P. P. More., Advocate for Applicant
Mrs. P. V. Diggikar, APP for Respondent/State
...

CORAM : S. G. CHAPALGAONKAR, J.

DATE : 12.10.2023

PER COURT :

1. Heard the learned Advocate appearing for the applicant and learned APP for the respondent/State.
2. By this application, the applicant seeks regular bail in connection with Crime No.398/2023 registered with Shivaji Nagar Police Station, Dist. Latur for the offences punishable under Sections 420, 465, 467, 468 and 471 of the Indian Penal Code [for short 'IPC'].
3. The investigation was set in motion on the basis of

complaint given by one Mohammad Rafi Allabaksh Mujawar, who was authorized by Sub-Divisional Officer [SDO], Latur to file the complaint. In nutshell, it is alleged that, on 09/08/2023, Smt. Kavita Dinesh Sabde produced a xerox copy of the document dated 24/07/2023 and requested for issuing its a certified copy, which was pertaining to gunthewari order. On perusal of the said document, the officers doubted its genuineness. A report was made to the SDO about that. On verification of the record, it was found to be fake document. On further inquiry with Smt. Kavita Sabde, she informs that, accused no.1 – Niranjan Shinde obtained an amount of Rs.3,00,000/- for giving the said document to her. On the basis of said information, the offences vide Crime No.398/2021 came to be registered against accused - Niranjan Shinde. During the course of investigation, it is revealed that, the seal and stamp used for preparation of document were provided by the present applicant on requisition of accused no.1. As such, the applicant was arrested.

4. Mr. More, learned Advocate appearing for the applicant would submit that the contents of FIR itself show that the accused – Niranjan Shinde has prepared the false document and for that purpose, he has procured the stamps and seals from the applicant. He would point out that, the applicant runs a small business of manufacturing the stamps and seals and as per orders and communication received by various offices, he is

providing the same. He would submit that, the requisition letter was given the main accused – Niranjan Shinde for providing stamps, accordingly, the applicant has provided the seal and stamp to him. He would submit that the applicant has co-operated during the course of investigation and investigation is practically over as regards to his role. Hence, he urges to grant bail.

5. Learned APP strongly opposes the prayer. She would submit that the applicant provided the office stamps and seals to main accused, which are in the nature of valuable security and aided the commission of crime. She would submit that the investigation is still in progress. Hence, she urges to reject the application.
6. Having considered the submissions advanced, it is apparent that, the forgery of document is alleged against the accused – Niranjan Shinde. During the course of investigation, the source of stamps and seals was found to be from the applicant. After arrest of the applicant, he has provided necessary information to the investigating officer, including the letters received by him requiring the stamps. It appears that, as per routine procedure, the applicant has provided stamps and seals without any criminal intent. Learned APP points out that, the letters, which are relied by the applicant, are forged documents. However, after considering the material on record, prima facie, it

appears that, the applicant had no criminal intent in providing the stamps. The investigation so far as role of the applicant is over. His further detention may not be necessary. In that view of the matter, the case is made out for grant of bail. Hence, the following order:

ORDER

- (i)** Bail Application is allowed.
- (ii)** The applicant, namely, RAMESH BALIRAM SUNAPE be released on bail in connection with Crime No.398/2023 registered with Shivaji Nagar Police Station, Dist. Latur for the offences punishable under Sections 420, 465, 467, 468 and 471 of IPC on furnishing P.B. and S.B. of Rs.50,000/-[Rupees Fifty Thousand Only] on the following conditions:
 - (a)** The applicant shall not tamper with the prosecution evidence / witnesses in any manner.
 - (b)** He shall attend each and every effective dates of hearing before the Trial Court
 - (c)** He shall attend the concerned Police Station once in a week i.e. on every Saturday between 10:00 am to 2:00 pm, till filing of charge-sheet.
- (iii)** Bail Application is disposed of accordingly.

**[S. G. CHAPALGAONKAR]
JUDGE**