

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 504 OF 2020**

Pramod Mohanrao Kodre ...Applicant

Versus

The State of Maharashtra and anr. ...Respondents

AND

ANTICIPATORY BAIL APPLICATION NO. 505 OF 2020

1. Archana Pradeep Kodre

2. Vaishali Kalidas Borade ...Applicants

Versus

The State of Maharashtra and anr. ...Respondents

WITH

INTERIM APPLICATION NO. 977 OF 2020

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Mr. S.M. Gorwadkar i/b Mr. Sumit Khaire for the Applicant.

MS Sarika Shetye i/b Mr. S.B. Shetye for the Intervener in IA.

Ms Veera Shinde, APP for the State.

Mr. Vijaykumar Shinde, Hadapsar Police Station, Pune City, Present.

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CORAM : N.R. BORKAR, J.

DATED : 2 FEBRUARY 2023

P.C. :-

The applicants, who are accused in Crime No. 1228 of 2019 registered at Hadapsar Police Station, Pune for the offences punishable under Sections 420, 467, 471, 120-B of the Indian Penal Code and Section 82 of the Registration Act, have filed these application under Section 438 of Cr.P.C. for anticipatory bail.

2. I have heard the learned counsel for the applicants and the learned APP for the respondent-State.

3. According to the prosecution on 8 January 2018, the present applicants and other co-accused had executed development agreement in favour of Shree Developers in relation to land bearing Survey No. 86 at Manjri Budruk, Taluka Haveli, Dist. Pune. It is alleged that the applicants and other co-accused had prepared forged letter head and seals of Gram Panchayat Manjri-Budruk. It is alleged that by using the said letter head and seals forged building permit was prepared and on the basis of said forged building permit construction was made on the land in question.

4. I have perused the development agreement dated 8 January 2018. It appears to be in relation to share of co-accused Pradeep Mohan Kodre only and the applicants are only consenting party to it. They do not appear to be beneficiary of the said development agreement. Prima facie, therefore, there arises no question of applicants committing any forgery. The prosecution has already filed the charge-sheet against the other co-accused. Considering the overall facts and circumstances of the case, I am inclined to release the applicants on anticipatory bail. Hence, the following order is passed:

- (i) Applications are allowed.
- (ii) In the event of arrest of applicants in Crime No. 1228 of 2019 registered at Hadapsar Police Station, Pune for the offences punishable under Sections 420, 467, 471, 120-B of the Indian Penal Code and Section 82 of the Registration Act, they shall be released on bail on furnishing PR

bond in the sum of Rs. 25,000/- each with one or two sureties in the like amount.

5. Interim Application does not survive and the same is disposed of.

(N.R. BORKAR, J.)