



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

ANTICIPATORY BAIL APPLICATION NO. 1508 OF 2023

AHMED PASHA HABIB SHAIKH AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Mr. R. S. Deshmukh, Sr. Advocate a/w Ms. Y. A. Namde, Advocate i/b
Mr. Devang R. Deshmukh, Advocate for Applicants
Mr. D.B. Bhange, APP for Respondents – State

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 21th FEBRUARY, 2024

PER COURT :

1. Applicants apprehend arrest in C.R. No.377/2023, registered with Udgir (Rural) Police Station, Latur, for offence punishable under Sections 420, 467, 468, 471 r/w 34 of the Indian Penal Code.

2. FIR is lodged by Amol Prakash Rameshette, Talathi, Udgir, alleging that applicants are owners and possessors of agricultural land Gut Nos. 100/1 and 100/2. For converting these agricultural lands into non-agriculture, applicants manipulated official record by preparing false stamp and manipulated mutation record of lands by changing dates of mutation entries. Inquiry was conducted by Tahsildar and it was found that mutation entry of land Gut Nos. 100/1 and 100/2 was effected on 31/08/2021. However, since Government granted some concession in the year 2020, that there is no need to leave open space, for taking advantage of that,

applicants Ahmed Pasha Habib Shaikh, Younus Habib Shaikh and Mohammad Habib Shaikh prepared bogus stamps and forged signatures of Talathi on the same and misused open space which was already transferred to Government and thereby cheated the Government.

3. Heard learned Senior Advocate for applicants, and learned APP for respondents/State. Perused the investigation papers.

4. Investigation in present crime pertains to documents. Applicants have already handed over original N.A. permissions which are alleged to be forged, to investigating officer. The crime is registered on 17/06/2023 and by this time investigation is almost complete. Nothing is to be recovered from applicants. Therefore, pre-trial custodial detention of applicants is not necessary.

5. In the result, application is allowed by confirming interim protection granted to applicants by order dated 13/09/2023.

6. Till filing of charge-sheet, applicants shall attend concerned police station on every alternate day, between 10:00 a.m. to 12:00 p.m. and shall co-operate in the investigation. Applicants shall not tamper prosecution evidence.

(NITIN B. SURYAWANSHI, J.)