



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

ANTICIPATORY BAIL APPLICATION NO. 2090 OF 2023

KARAN BALAJI GHODKE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA

...

WITH

ANTICIPATORY BAIL APPLICATION NO. 2101 OF 2023

KARAN PARMESHWAR MENDKE
VERSUS
THE STATE OF MAHARASHTRA

...

Mr. Amar V. Lavte, Advocate for Applicants in both
Mr. A.R. Kale , APP for Respondent – State

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 09th FEBRUARY, 2024

PER COURT :

1. Applicants apprehend arrest in C.R. No.359/2023, registered with Beed Rural Police Station, Beed, for offence punishable under Sections 420, 468, 471, r/w 34 of the Indian Penal Code.

2. FIR is lodged by R.T.O. Inspector Mr. Ganesh Jayram Vighne, alleging that they received information that some PUC centers are issuing PUC certificates without verifying the vehicles. On 22/11/2023, informant made phone call to one of the accused for preparing PUC certificate. Accused told informant to send photographs of vehicle on Whats-app and to pay Rs.200/- online and he will get PUC certificate within five minutes. Accordingly PUC

certificate was issued for vehicle bearing No. MH-0440027 at Majalgaon. FIR is, therefore, lodged contending that accused persons in collusion with each other issued false and fabricated PUC certificates without inspecting the vehicles personally and thereby committed forgery of documents and misappropriation.

3. Heard learned advocate for applicants and learned APP for the State. Perused the investigation papers.

4. After arguing at length on merits, when this Court was not inclined to grant relief to applicant Karan Parmeshwar Mendke, learned advocate for applicants seeks permission to withdraw the application of Karan Parmeshwar Mendke. Permission granted. Anticipatory Bail Application No.2101/2023 of Karan Mendke is dismissed as withdrawn.

5. Applicants Karan Balaji Ghodke and Rahul Balaji Ghodke were employed in PUC center owned by Karan Mendke. They were issuing PUC certificates under the directions of owner. Therefore, *prima facie*, there complicity does not appear in present crime as they were carrying out directions of owner.

6. Learned APP strenuously opposed the application contending that applicants have committed offence, may be at the instance of owner, but their participation is very much clear in the crime. Be that as it may. Nothing is to be recovered from applicants

and they are ready to co-operate in the investigation. Their pre-trial custodial detention is, therefore, not necessary.

7. In the result, Anticipatory Bail Application No.2090/2023 is allowed.

8. In the event of arrest of applicant No.1 Karan Balaji Ghodke and applicant No.2 Rahul Balaji Ghodke, in connection with C.R. No.359/2023, registered with Beed Rural Police Station, Beed, for offence punishable under Sections 420, 468, 471, r/w 34 of the Indian Penal Code, applicants be released on executing P.B. and S.B. of Rs.15,000/- each, with one surety in the like amount.

4. Applicants shall attend concerned police station from 12th February, 2024 to 16th February, 2024, everyday 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.)