

Santosh

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 3123 OF 2023

SANTOSH
SUBHASH
KULKARNI

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Date: 2024.05.10
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Ranjan Ashok Zambare ...Applicant
Versus
State of Maharashtra ...Respondent

Mr. Vivek Salunke, for the Applicant.
Mr. Prashant Jadhav, APP for the State/Respondent.
Mr. P. G. Kharbas, PC-1399, Ranjangaon MIDC Police
Station, present.

CORAM: N. J. JAMADAR, J.
DATED: 8th APRIL, 2024

ORDER:-

1. Heard the learned Counsel for the applicant and the learned APP for the State.
2. This is an application for pre-arrest bail in connection with CR No.575 of 2023, registered with Ranjangaon MIDC Police Station, Pune Rural, for the offences punishable under Sections 420, 464, 465, 467, 468, 470, 471 and 474 read with Section 34 of Indian Penal Code, 1860 ("the Penal Code").
3. By an order dated 4th November, 2023, this Court had granted interim bail as the co-accused Farjin Shahid Shaikh was granted pre-arrest bail by an order dated 1st November, 2023. The indictment against the proprietors of M/s. Dhumal

Enterprises and M/s. Maharashtra Enterprises was that they had submitted a document purported to be a consent letter of MPCB in FORMAT 1.0 which turned out to be forged.

4. The learned Counsel for the applicant submitted that the proprietress of M/s. Maharashtra Enterprises has been granted pre-arrest bail. The husband of the said proprietress of M/s. Maharashtra Enterprises, has since been released on bail. The proprietor of M/s. Dhumal Enterprises has, however, not been arraigned as an accused though the consent letter was allegedly submitted by M/s. Dhumal Enterprises.

5. The learned APP, on the other hand, submitted that the investigation has revealed that the applicant had prepared false documents in the name of Abhijit Dhumal, the proprietor of M/s. Dhumal Enterprises. It is, *inter alia*, alleged that the applicant was a witness to a Notorised document purportedly executed by Abhijit Dhumal by setting up an impersonator.

6. The learned APP, upon being enquired, submits that Abhijit Dhumal, Proprietor of Dhumal Enterprises, has not lodged any report.

7. In the instant case, the allegation is that forged consent letters were submitted by two firms i.e. M/s. Maharashtra Enterprises and M/s. Dhumal Enterprises. The FIR was primarily lodged against the persons who were managing the affairs of the said firms. If the applicant has allegedly prepared false documents as the proprietor of M/s. Dhumal Enterprises, that could be a matter for consideration in an appropriate proceedings. In the instant case, since the proprietress of M/s. Maharashtra Enterprises has been granted pre-arrest bail and the proprietor of M/s. Dhumal Enterprises has not been arraigned as an accused, the applicant is also entitled to same dispensation as is given to the co-accused.

8. Hence the following order:

: O R D E R :

- (i) The order of interim bail dated 4th November, 2023 is made absolute on the terms and conditions incorporated therein.
- (ii) In addition, the applicant shall regularly attend the proceedings before the jurisdictional court.

Application stands disposed.

[N. J. JAMADAR, J.]