

reached the police station relying upon a particular document as the basis for claiming ownership over the plot in question. Upon a photocopy of that document being sent to the office of the sub-Registrar at Nashik, the said office responded and informed that the concerned document was a forged and fabricated document.

4. On this basis, the FIR has been registered against the applicants and others, including an Advocate, who caused a notice to be issued on the basis of the aforesaid document.

5. The Sessions Court distinguished the role of the Advocate as that of a mere professional, who acted on the instructions of his client and granted him anticipatory bail, while rejecting the application for anticipatory bail of the applicants.

6. The learned counsel for the applicants submits that they cannot be said to be involved in any act of forgery or fabrication, for the reason that they were acting on the instructions of a lady, who claimed to be the owner of the plot in question. The applicants were merely acting as caretakers of the plot of land and therefore, the allegation regarding forgery and fabrication, even *prima facie* cannot be made against the applicants.

7. On the other hand, the learned APP vehemently opposed the present application submitting that since the informant approached the Police after the office of the sub-Registrar confirmed that the document in question was a forged and

fabricated document and since the applicants were relying upon the same, the offences have been registered against the applicants and the other accused persons. It is submitted that the investigation is at nascent stage and the FIR was registered on 8th June 2024.

8. This Court has considered the rival submissions. There is a specific allegation made in the statement leading to registration of the FIR and there is not even a semblance of an explanation forthcoming as regards the document, which the office of the sub-Registrar has confirmed as being forged and fabricated. At this stage, the applicants cannot escape liability by claiming that they have nothing to do with the said document, when the allegations *prima facie* indicate that they specifically relied on the said document and therefore, investigation is necessary, as to the manner in which such a forged and fabricated document was brought into existence.

9. No case is made out for granting anticipatory bail. The application is dismissed.

MANISH PITALE, J.