

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1861 OF 2024**

Vaishali Jayprakash Pawar	...	Applicant
vs.		
The State of Maharashtra	...	Respondent

Mr. Ashutosh Kulkarni, i/b. Vrushali L. Maindad for applicant.

Mr. Sachin Thombare for original complainant (through video-conferencing).

Mr. Tanveer Khan, APP for respondent-State.

Mr. Hrushikesh Ghadge, PI, Hinjwadi Police Station, District Pimpri-Chinchwad.

CORAM : MANISH PITALE, J.

DATE : 16th JULY, 2024

P.C. :

. Heard learned counsel for the applicant, learned APP for the respondent-State and learned counsel having instructions to appear for the first informant.

2. In the present case, the applicant apprehends arrest in connection with FIR No.0478 of 2024 dated 12.04.2024 registered at Police Station Hinjwadi, District Pimpri-Chinchwad for offences under Sections 465, 467, 468, 469, 471 and 420 read with Section 34 of the Indian Penal Code, 1860.

3. The allegation against the applicant is that being a partner of a partnership firm, certain documents were forged, which were pertaining to a transaction undertaken by the partnership firm in the year 2018. It is alleged that the documents concerning the original owner of a land, including Aadhar card, Pan card, etc. were forged and fabricated and it was

shown that the land was purchased by the partnership firm from the original owners. Subsequently, the partnership firm sold the land to the co-accused person at a rate lower than even the prevailing ready reckoner rates.

4. Having heard the learned counsel for the applicant, the learned APP and the learned counsel having instructions to appear on behalf of the first informant, this Court is inclined to allow the present application for the following reasons:

- (a) The registered document on record pertaining to retirement-cum-admission deed shows that the applicant was included as a partner in the aforesaid partnership firm on 07.12.2022. The allegations pertaining to forgery and fabrication are specifically concerned with the year 2018 i.e. much prior to the applicant even being admitted as a partner in the partnership firm;
- (b) the allegation regarding the land being sold for amount less than even the prevailing ready reckoner rates, does not pertain to any act of forgery or fabrication, although some other offences may be relatable to the same;
- (c) the applicant is a woman, who is ready to co-operate with the investigation and insofar as she is concerned, considering her admission in the partnership firm on 07.12.2022, the allegation of forgery and fabrication *prima facie* is not relatable to her.

5. The learned APP and the learned counsel appearing for the first informant have vehemently opposed the prayer made in the present application. But, considering the reasons stated hereinabove, this Court is inclined to allow the application.

6. In view of the above, the application is allowed in the following terms:
- (i) In the event the applicant is arrested in connection with FIR No.0478 of 2024 dated 12.04.2024 registered at Police Station Hinjwadi, District Pimpri-Chinchwad, he shall be released on bail on furnishing PR Bond of ₹ 50,000/- (Rupees Fifty Thousand only) with one or two sureties in the like amount to the satisfaction of the trial Court;
 - (ii) the applicant shall remain present before the Investigating Officer on 19.07.2024 between 10:00 a.m. and 12:00 noon and thereafter, as and when the Investigating Officer calls upon them to remain present;
 - (iii) the applicant shall not tamper with the evidence of the prosecution in any manner. She shall not influence the informant, witnesses and other persons concerned with the case;
 - (iv) the applicant shall co-operate with the investigation, including producing all the necessary documents, and also in the proceedings before the trial court.
7. In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.
8. It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial court shall proceed further in the matter without being influenced by the observations made hereinabove.
9. The application stands disposed of.

(MANISH PITALE, J)