IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2677 OF 2024

Sujata Haridas Vidhate @ Sujata Prashant Satras	…	Applicant
vs.		
The State of Maharashtra	…	Respondent

Mr. Ganesh Bhujbal for applicant.

Ms. Rutuja Anil Ambekar, APP for respondent-State.

CORAM : MANISH PITALE, J.
DATE : 03rd OCTOBER, 2024

P.C. :

. Heard learned counsel for the applicant and the learned APP for the respondent-State.

2. The applicant is apprehending arrest in connection with FIR No.0475 of 2024 dated 03.08.2024, registered at Bhosari Police Station, District Pimpri-Chinchwad, for offences under Sections 420, 467 and 468 of the Indian Penal Code, 1860.

3. The informant in the present case has stated that her son was running a business of hotel and restaurant at Bhosari, Pune. It is stated that her son expired on 24.08.2023 and thereafter, when she and her family desired to take appropriate steps in respect of the business, property and assets left behind by her deceased son, it came to light that the applicant had already taken possession of the aforesaid assets and business, claiming to be the wife of the deceased son. It is alleged that forged and fabricated documents like

aadhar card, pan card and passport were prepared by the applicant, in order to grab the assets and business of the applicant.

4. The learned counsel for the applicant submits that much prior to the FIR being registered, on 20.05.2024, the applicant had sent a complaint by post to the aforesaid police station, raising her grievance with regard to the manner in which the informant and her family forcibly grabbed the business of the hotel and restaurant. It was claimed that the applicant married the son of the informant on 05.07.2010 and that the marriage was registered on 02.02.2014. It was claimed that no action was taken by the police in respect of the said complaint. Attention of this Court was further invited to the partnership deeds, one executed with the informant herself and the other executed with the deceased son of the informant. By placing reliance on the said documents, it was claimed that the informant all along knew the applicant and now she was showing ignorance about the same. It was submitted that in these circumstances, the Court may consider granting anticipatory bail as the applicant undertakes to co-operate with the investigation.

5. On the other hand, the learned APP has invited attention of this Court to the investigation papers, which indicate that all the claims made by the applicant with regard to her marriage with the son of the informant and documents in that context, are found to be false, forged and fabricated. It is submitted that no marriage took place between the applicant and the son of the informant and therefore, the allegations of forgery and fabrication made against the applicant are clearly made out. It is submitted that the applicant does not deserve any indulgence from this Court.

6. Having perused the documents filed with the application and the investigation papers and after considering the rival submissions, this Court is inclined to dismiss the application for the following reasons:

(a) The claims made by the applicant in her complaint, sent to the police by post on 20.05.2024 are *prima facie* falsified by the documents revealed during the investigation. These include the statement of the owner of the marriage hall, where the marriage of the applicant with the son of the informant is said to have taken place. The said person has clearly stated that no such marriage took place in the marriage hall on 05.07.2010.

(b) Further documents unearthed during the course of investigation show that the marriage registration certificate *prima facie* appears to be forged, for the reason that the office of Registrar of Marriages has confirmed that the said certificate pertains to marriage between some other individuals and not the applicant and son of the informant.

(c) In the copies of the partnership deeds filed alongwith the application, which pertain to February 2023 and March 2023, the applicant has retained her name as Sujata Haridas Vidhate, despite the fact that she claims to have married the son of the informant as far back as in the year 2010 and that the registration of marriage took place in the year 2014. In the said documents, she makes no reference to the fact that she was married to the son of the informant and at the most, such documents may indicate that the applicant was a business partner.

(d) But, even the said claim appears to be falsified by the fact that the applicant has caused change of her name recently, as recorded in the government gazette pertaining to 28.12.2023 to 03.01.2024, despite the fact that according to her, she married the son of the informant as far back as in the year 2010. It is significant to note that the change of name was brought about in the said gazette pertaining to the period 28.12.2023 to 03.01.2024, while the son of the informant had expired on 24.08.2023. *Prima facie,* it appears that after the death of the son of informant, the applicant proceeded to take such steps to falsely claim to be the wife of the deceased son of the informant and in that light, she made attempts to grab the business, property and assets of the deceased son of the informant. A strong *prima facie* case is made out for rejecting the application.

7. For the aforesaid reasons, the application is dismissed.

(MANISH PITALE, J)

Priya Kambli