



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (BA) NO.1125 OF 2024

(Kanta Suresh Thatshingar Vs. State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. S.B. Gandhe, Advocate for the applicant.
Mr N.B. Jawade, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- DECEMBER 12, 2024.

Heard.

2. By this application, the applicant is seeking bail as he came to be arrested on 22/06/2024 in connection with Crime No.383/2024 registered with police station Gadge Nagar, Amravati, District Amravati for the offence punishable under Sections 419, 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code read with Section 34 of the Indian Penal Code and Sections 82 and 83 of the Registration Act, 1908.

3. The crime is registered on the basis of the report lodged by one Atul Summersingh Raghuwanshi on an allegation that he got acquaintance with one Yogesh Dinesh Wasani, who has shown him plot Nos.102/6 and 102/7 admeasuring 3000 sq.ft. and asked him to purchase it for the purpose of investment. He also informed him that initially the said plot was agreed to be purchased by one Roshan More; however, he is not having the

consideration amount, and therefore, it is to be sold. Considering the same, he entered into an agreement and handed over the earnest amount to Roshan More. However, it was revealed that the said Roshan More is not the owner of the said plot, but one Shraddha Navghare was the owner of the said plot. By impersonating the said Smt. Shraddha Navghare, present applicant executed the sale-deed and the informant was duped by the co-accused as well as the present applicant. On the basis of the same, police have registered the crime.

4. Learned Counsel for the applicant submitted that now investigation is completed and charge-sheet is filed. As far as the role of the present applicant is concerned, which alleged to be that she impersonated the Shraddha Navghare; however, it is not supported by any material collected during the investigation. He submitted that considering now investigation is already completed and the applicant cannot be kept behind bar by way of punishment and hence, she be released on bail.

5. Learned APP strongly opposed the application and submitted that not only she has impersonated the Shraddha Navghare but the consideration amount was received by her in her account and thereafter the said amount was parted with the other co-accused. He further submitted that the Pan Card as well as the Adhar Card and relevant documents are forged by the present applicant.

Considering the same, the application deserves to be rejected.

6. After hearing learned Counsel for both the sides and on perusal of the investigation papers it reveals that the statements of the witnesses supports the contention of the prosecution that it was the present applicant who has impersonated the original owner Shraddha Navghare who died long back. It further reveals that not only she has impersonated but the consideration amount was received by her in her account and same amount was parted with the other co-accused. Thus, *prima facie* material shows her involvement in the alleged offence but considering that now investigation is completed and charge-sheet is filed, further incarceration of the applicant is not required. In view of that, the application deserves to be allowed by imposing certain conditions. Accordingly, I proceed to pass the following order:

(i) The application is allowed.

(ii) The applicant - Kanta Suresh Thatshingar in connection with Crime No.383/2024 registered with police station Gadge Nagar, Amravati, District Amravati for the offence punishable under Sections 419, 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code read with Section 34 of the

Indian Penal Code and Sections 82 and 83 of the Registration Act, 1908, be released on bail on executing PR. bond of Rs.25,000/- with one solvent surety in the like amount.

(iii) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.

(iv) The applicant shall not indulge herself in similar type of the activities and if found the bail granted to the present applicant deserves to be cancelled.

(v) The applicant shall attend the proceedings before the trial Court without seeking any exemption unless there are exceptional circumstances.

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*