



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

27 ANTICIPATORY BAIL APPLN. NO. 375 OF 2025

PRASHANT MOHAN KULKARNI

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr.V.Y.Bhide
APP for Respondent-State : Mr.S.P.Sonpawale

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CORAM : ARUN R. PEDNEKER, J.

DATE : 17.03.2025

P.C. :

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

2] The applicant is apprehending arrest in connection with Crime No.1028/2024, registered with Sangamner City Police Station, Dist. Ahilyanagar, for the offence punishable under Section 340, 336 (4) and 318 (4) of the Bharatiya Nyaya Sanhita, 2023.

3] The allegation against the applicant is that in order to get N.A. permission, the document is required from the Taluka Inspector of Land Records [TILR] indicating that the land, which is sought to be used for non-agriculture, is

within 200 meter of the *gairan* area. It is alleged that the office of TILR has not given permission as far as the land in question stating that the land falls outside 200 meters of the *gairan* area. However, it is alleged that the applicant, who is a broker-agent, took a letter from the TILR office and submitted the said letter to the office of the Tahsildar for N.A. permission, by interpolating that, the land is within 200 meters. Thereafter, the Talathi on verification of the record found that the land in question is beyond 200 meters of *gairan* area and the said letter is interpolated one. As such, the Village Revenue Officer has filed the present FIR.

4] The learned counsel for the applicant submits that the allegation against the applicant is that as a broker/agent, he took the document from the office of the TILR and handed over the said document to the Tahsil office, therefore, the applicant is not responsible for fabrication of the document. He further submits that the applicant is not beneficiary of the said document, neither the applicant is custodian of the said document. He further submits that interpolation, if at all, is not at the instance of the applicant. He further submits that if the applicant has taken the said document from the office of TILR, there would be endorsement to that effect. He further submits that further interrogation of the applicant would not be necessary as the case is based on documentary evidence.

5] The learned APP submits that the statement is recorded from the clerk of tahsil office that the present applicant has submitted the document from the office of TILR, however, there is no documentary evidence in the TILR office or the tahsil office indicating the same.

6] Considering this aspect of the matter, the applicant is granted anticipatory bail in the following terms :

i] In the event the applicant is arrested in connection with Crime No.1028/2024, registered with Sangamner City Police Station, Dist. Ahilyanagar, for the offence punishable under Section 340, 336 (4) and 318 (4) of the Bharatiya Nyaya Sanhita, 2023, he shall be released on bail on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] The applicant shall attend the concerned police station on 20.03.2025 and 21.03.2025 between 10.30 a.m. to 1.30 p.m. and thereafter as and when called by the investigating officer.

iii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall

not influence the informant, witnesses and other persons concerned with the case.

iv] The applicant shall co-operate with the investigation 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.

[ARUN R. PEDNEKER]
JUDGE

DDC