



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

931 ANTICIPATORY BAIL APPLICATION NO. 408 OF 2025

1. Annasaheb Raghunath Gunjal,
2. Ramnath Raghunath Gunjal,
3. Ravindra Balasaheb Gunjal.

VERSUS

1. The State Of Maharashtra,
2. The Superintendent of Police, Ahilyanagar.

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Advocate for Applicant : Mr. Rahul R. Karpe
APP for Respondents-State: Mr. G. O. Wattamwar

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CORAM : ARUN R. PEDNEKER, J.

Dated : March 26, 2025.

PER COURT :-

1. Heard learned counsel for the applicants and the learned APP for the respondent-State.
2. The applicants are apprehending arrest in connection with FIR No.1028/2024, dated 11/12/2024, registered at Sangamner City Police Station, District Ahmednagar, for the offences punishable under sections 318(4), 336(4), 340 of Bharatiya Nyaya Sanhita, 2023.
3. This Court granted anticipatory bail to accused No.1, Prashant Mohan Kulkarni, by order dated 17/03/2025 in ABA/375/2025.
4. The case against the present applicants is that, for obtaining non-agricultural (N.A.) permission, a document from the Taluka Inspector of Land Records (TILR) is required, indicating that the land in question is within 200 meters of the Gairan area. It is alleged that the TILR office did not issue such

permission for the subject land, as it falls beyond 200 meters from the Gairan area. Upon verification, the Talathi found that the land was beyond 200 meters from the Gairan area and that the document was tampered with. Consequently, the Village Revenue Officer lodged the present FIR.

5. The learned counsel for the applicants submits that this Court, by order dated 17/03/2025 in ABA No.375/2025, has already granted anticipatory bail to the co-accused, who was a broker responsible for obtaining the document from the TILR office and submitting it to the Tahsildar's office. Given that the case is based on documentary evidence and the interrogation of the co-accused was deemed unnecessary, anticipatory bail was granted.

6. The learned counsel further submits that the present applicants are agriculturists who sought to convert a small piece of land measuring 27 R into non-agricultural land. They engaged accused No.1, Prashant Mohan Kulkarni, for this purpose and had no knowledge of any manipulation in the conversion process. He contends that if any interpolation occurred, it was not at the instance of the applicants. Since the entire case is based on documentary evidence, which are already in the possession of the Investigating Officer, and considering that the maximum punishment for the alleged offence is seven years, the applicants seek anticipatory bail.

7. On the other hand, the learned APP submits that, according to a statement from the office of the Superintendent of Land Records, the applicants had collected the documents, and the same were found to be fabricated.

8. Considering the nature of the case, the fact that the co-accused in ABA No.375/2025 has already been granted anticipatory bail, and that the case is based entirely on documentary evidence, which is in the possession of the Investigating Officer, there is no possibility of the applicants interfering with the investigation. Accordingly, the applicants are granted anticipatory bail.

9. In view of the above, the application is allowed in the following terms: -

i] In the event the applicants are arrested in connection with FIR No.1028/2024, dated 11/12/2024, registered at Sangamner City Police Station, District Ahmednagar, for the offences punishable under sections 318(4), 336(4), 340 of Bharatiya Nyaya Sanhita, 2023, they 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 applicants shall attend the police station as and when called by the police.

iii] The applicants shall not tamper with the evidence of the

prosecution in any manner. They shall not influence the informant, witnesses and other persons concerned with the case.

iv] The applicants shall co-operate with the investigation and also in the proceedings before the trial Court.

10. In the event, the applicants violates any of the conditions specified in this order, it shall be liable to be cancelled.

11. 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.

12. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.