IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 937 OF 2025
WITH
CRIMINAL APPLICATION NO.1958 OF 2025
IN ABA/937/2025
WITH
CRIMINAL APPLICATION NO.2801 OF 2025
IN
CRIMINAL APPLICATION NO.1958 OF 2025
IN ABA/937/2025

1. Nivrutti Rangnath Shinde,
2. Ashok Gangaram Shinde
3. Lukhaji Sawlaram Shind
4. Sopan Karbhari Shinde
5. Balasaheb Shankar Shinde ... Applicants

Versus

The State of Maharashtra ... Respondent

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Advocate for Applicants in ABA/937/2025 : Mr. Milind M. Patil

APP for Respondent-State: Mr. C. V. Bhadane

Mr. Amol Pawar, Advocate for Applicant (Assist to APP) in APPLN/1958/2025 & APPLN/2801/2025

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WITH

ANTICIPATORY BAIL APPLICATION NO. 938 OF 2025
WITH
CRIMINAL APPLICATION NO.1956 OF 2025
IN ABA/938/2025
WITH
CRIMINAL APPLICATION NO.2789 OF 2025
IN
CRIMINAL APPLICATION NO.1956 OF 2025
IN ABA/938/2025

1. Nandu Ashok Shinde
2. Devidas Lukhaji Shinde,
3. Balasaheb Karbhari Shinde

4. Prakash Laxman Shinde
5. Vijay Baban Shinde ... Applicants

Versus

The State of Maharashtra. ... Respondent

.....

Advocate for Applicants in ABA/938/2025 : Mr. Milind M. Patil
APP for Respondent - State: Mr. C. V. Bhadane
Mr. Amol Pawar, Advocate for Applicant (Assist to APP) in APPLN/1956/2025 & APPLN/2789/2025

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WITH

ANTICIPATORY BAIL APPLICATION NO. 943 OF 2025
WITH
CRIMINAL APPLICATION NO.1957 OF 2025
IN ABA/943/2025
WITH
CRIMINAL APPLICATION NO.2802 OF 2025
IN
CRIMINAL APPLICATION NO.1957 OF 2025
IN ABA/943/2025

Shivaji Annasaheb Laware ... Applicant

Versus

The State of Maharashtra and Another ... Respondents

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Advocate for Applicant in ABA/943/2025: Mr. Vishweshwar Pathade
APP for Respondent - State: Mr. C. V. Bhadane
Mr. Amol Pawar, Advocate for Applicant (Assist to APP) in APPLN/1957/2025 & APPLN/2802/2025

CORAM : ABHAY S. WAGHWASE, J.
RESERVED ON : 18 AUGUST 2025
PRONOUNCED ON : 20 AUGUST 2025

ORDER :

1. Applicants herein are praying for pre-arrest bail on account of registration of crime no. 0241 of 2024 with Kopargaon Rural Police Station, District Ahilyanagar for offence punishable under sections 419, 420, 468, 471 read with section 34 of Indian Penal Code.

2. Sum and substance of arguments of each of the learned counsel is that, allegations are false and baseless. That, there is no substance and foundation in accusation. That, there is dispute between trustees. That, proper procedure for running trust as contemplated under Public Trust Act has been followed. That, there is no fabrication of documents or misappropriation as alleged. That, there are regular audits of the trust. That, complaint is motivated. Moreover, according to each of the learned counsel, entire investigation pertains to documentary evidence and all documents are already with the investigating machinery. Custodial interrogation is therefore not necessary and as applicants are ready to co-operate in the investigation, they urged for relief of anticipatory bail.

3. Learned APP as well as learned counsel permitted to

assist APP have strongly opposed on the ground that serious offence of manufacturing false and forge documents are committed. That, property of the temple trust received from various donations through devotees is usurped and grabbed by indulging in misappropriation. That, orders of courts are flouted for personal benefit. Thus, according to both of them, there is need for proper investigation and hence, prayers are made for rejecting the applications.

4. Perused the papers and the FIR dated 29.06.2024. Complaint seems to be at the instance of one Vaibhav Ramesh Shinde and he has reported that, his father Ramesh was the founder member and trustee of the temple trust, which is registered in 1990. He reported that, initially 9 trustees were inducted on the trust and out of them, 4 have expired. He reported that his father, who was also one of the trustee and was functioning since inception till 2010 i.e. till his demise. His father had instituted Trust Suit No.1 of 2001 against one Nivrutti Rangnath Shinde, Ashok Gangaram Shinde, Lukhaji Shinde, Sopan Shinde, Balasaheb Shinde and others, wherein specific court orders have been passed regarding management of the trust, operations of its account as well as specific orders are passed regarding donation received in cash, kind and its custody and maintaining distinct account in the bank to that extent. However, he alleged that, accused persons named in the FIR have manufactured

scheduled - I and tendered it with trust and in spite of knowing it to be false and fabricated documents, tendered it in the office of Charity Commissioner and thereby attempted to misappropriate trust property. That, false and fabricated documents are got attested and same are used for operating fresh account with ulterior motive to misappropriate trust property and are thereby cheating the trust as well as devotees and hence action is sought against them.

5. Thus, prima facie allegations are that documents are manufactured and fabricated by accused named in the FIR. Schedule – I which is to be tendered with Charity Commissioner is itself alleged to be fabricated. Prima facie, there is variance in the original copy of Schedule I and alleged fabricated Schedule - I. In original document name of father of complainant is reflected, whereas it is missing in the alleged fabricated document. No doubt, father of complainant, who was also said to be trustee, has expired in 2010, but proper procedure has been contemplated and provided under the trust act for carrying out necessary changes that too by adopting procedure of resolutions. It is pointed out that, in 2007 itself, name of informant's father is shown to be deleted while he was still alive and expired in 2010. Therefore, thorough investigation of alleged documents becomes necessary. There are also allegations of non compliance of directions issued by District Court in above referred suit.

Resultantly, taking the nature of allegations, its gravity, even this court is of opinion that, thorough and proper investigation is necessary.

In the light of above discussion, this court is not inclined to extend the benefit of anticipatory bail as prayed for.

6. All anticipatory bail applications are rejected.

7. In view of rejection of anticipatory bail applications, pending criminal applications also stand disposed off.

(ABHAY S. WAGHWASE, J.)

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