

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 831 OF 2025

Shamim Fardin Shaikh

.... Applicant

Versus

The State of Maharashtra and Anr.

.... Respondents

Mr. Ritesh M. Thobde a/w Mr. Darshan Singh Rajpurohit,
Mr. Puskaraj Yadav - Deshmukh, Advocate for the Applicant.

Mr. N. B. Patil, A.P.P., for the Respondent – State.

Mr. Kamran Sheikh (Through V.C.) a/w Mr. Gajraj Mali for
Respondent No.2.

Mr. Vibhute B.S. (P.C.), Sadar Bazar Police Station, Solapur - present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 10th NOVEMBER, 2025.

P.C. :

1. The Applicant is apprehending arrest in Crime No.935 of 2024 registered with Sadar Bazar Police Station, District: Solapur, for the offences punishable under Sections 420, 447, 465, 466, 467, 468, 471, 472 and 120(B) of the Indian Penal Code, 1860 (for short, “IPC”).

2. It is prosecution’s case that the Applicant has forged the sale deed in respect of Plot Nos.56 and 57 owned by the first

informant by using false and forged documents and fake stamps and submitted before the Deputy Registrar Office, Solapur. The Applicant got the above said plots transferred in her own name and sold it to other persons.

3. It is contention of learned counsel for the Applicant that the Applicant has been falsely implicated in this case. The dispute in question primarily pertains to the sale of certain property, which is of the civil nature. The first informant has not filed any proceeding for cancellation of the registered sale deed. All the documents including Index - II are duly prepared by the Sub Registrar Office, Solapur, and mutation entries are made by the Revenue Department indicating due process was followed. The plots in question were sold to the Applicant by one Mr. Swami, who was duly constituted attorney of the first informant. The Applicant was legal owner of the plots Nos.56 and 57. The false complaint has been filed against the Applicant. Considering allegations against the Applicant, her custodial interrogation is not required, and requested to allow the application.

4. It is contention of learned APP along with learned counsel for the first informant that the signature of Mr. Swami has been forged by the first informant. The stamps used by the Applicant are

forged and fabricated. The statement of stamp vendor is recorded, he has stated that he never sold the stamps which was used for sale deed to the Applicant. The Applicant has forged and fabricated the sale deed as well as the Government Stamps. Considering allegations against the Applicant, her custodial interrogation is required, and requested to reject the application.

5. I have heard all learned counsel, perused F.I.R. and documents produced on record.

6. Though, the Applicant is stating that she is the legal owner of the said plots and she has purchased the said plots from Power of Attorney holder of the first informant, but the statement of Power of Attorney holder shows that he never sold the said plots to the Applicant and his signature is forged by the Applicant. The index number of transaction of the Applicant is 6001 dated 13th December, 2000. The report of Sub Registrar Office is showing that no document was executed in favour of the Applicant on the said number. On the other hand, the sale deed between Hamid Shaikh and Parvatibai Ket seems to be registered on the said number. It indicates that Index – II has been forged and fabricated and on the basis of same, further sale deeds are executed.

7. Considering the above facts, documents are forged and fabricated and fake Government office stamps are prepared. It is a serious offence. Investigation is in progress. Considering allegations against the Applicant, her custodial interrogation is required, and I pass following order:

ORDER

- i. The application is rejected.

(SHIVKUMAR DIGE, J.)