

AGK

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

BAIL APPLICATION NO.1020 OF 2025

Deepak Mohan Fad ... Applicant
V/s.
The State of Maharashtra ... Respondent

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Mr. Sanjeev Kadam, Senior Advocate with Mr. Shailesh Kharat, Ms. Varsha Thorat i/by Mr. Yogesh Birajdar for the applicant.

Mrs. Rajashree V. Newton, APP for the respondent-State.

CORAM : AMIT BORKAR, J.

RESERVED ON : OCTOBER 6, 2025

PRONOUNCED ON : OCTOBER 14, 2025

P.C.:

1. This is an application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS") seeking regular bail. The application arises from Crime Register No. 670 of 2024, registered at Panvel City Police Station for offences punishable under Sections 336, 337, 338, 339, 341, 238, 3(5), 45, 217(Kha), 222, 178, 179, 181, 182, and 183 of the Bharatiya Nyaya Sanhita, 2023 ("BNS").

2. As per the prosecution, the informant is serving as Superintendent in the Court of the Civil Judge, Senior Division, Panvel. He lodged a complaint stating that on 23 October 2024, Advocate Mahesh Deshmukh had visited the Court and enquired

about the status of an application for certified copy bearing No. 6586 of 2023 filed on 7 November 2023 with the Assistant Superintendent, Mr. Pravin D. Bandiwadekar. When Mr. Bandiwadekar sought verification, the informant checked the Court records and found that Civil Miscellaneous Application No. 113 of 2022 was still pending before the Court. No order had been passed in that matter. It was also found that the signature of Mr. Bandiwadekar on the said application had been forged.

3. Further inquiry revealed that the order in Application No. 6586 of 2023 purportedly bore the signature of Judge Smt. Bidkar, but on verification, it was found that her signature too had been forged. The entry of Civil M.A. No. 113 of 2022 had been deleted from the Case Information System (CIS). It appeared that some unknown person had created fake copies of Civil Application No. 6586 of 2023 and Civil M.A. No. 113 of 2022 between November 2023 and 23 October 2024 and deleted the genuine record from the CIS. On these facts, the present FIR was registered.

4. Learned Senior Advocate Mr. Kadam, appearing for the applicant, submitted that the applicant was arrested on 23 December 2024 and is in custody since then. He argued that the arrest was based on mere suspicion and that there is no direct evidence linking the applicant to the alleged offences. He submitted that the statement of witness Archana Hande does not indicate that she actually saw the applicant deleting any record from the CIS. There is no eye-witness to the alleged deletion. The applicant was serving as a Clerk in the Civil Court at Panvel. The prosecution's case is that the applicant used the user ID of another

clerk, Mrs. Archana Hande, to delete the record of Civil Miscellaneous Application No. 113 of 2022 and that he also forged a challan of Rs. 75,000. It was argued that Mrs. Archana Hande, whose user ID was allegedly misused, has not been made an accused. There is no corroborative evidence to support her statement regarding the alleged challan. Hence, the applicant deserves bail, especially since charges have not yet been framed and the investigation is substantially complete.

5. In reply, learned APP Mrs. Newton opposed the application. She submitted that the applicant was working as Junior Clerk in the Computer Section of the Civil Judge, Senior Division, Panvel. By using the user ID and password of Mrs. Archana Hande, the applicant accessed the Court's CIS and made several changes to CMA No. 113 of 2022. On 23 November 2023, he altered dates, changed the case status, deleted the lawyer's name, and on 3 December 2023, completely deleted the case on the instructions of co-accused Advocate Amar Patwardhan. She further submitted that the applicant also generated a forged challan of Rs. 75,000 in connection with a fake heirship certificate in the same case. The learned APP pointed out that the computer system used by the applicant was seized under a panchnama dated 24 December 2024. The applicant's call data records showed that during the relevant period he was in frequent contact with accused No.2, Advocate Amar Patwardhan. It also came on record that the applicant attempted to influence witness Sagar Shinde to persuade Archana Hande to admit that the deletion of the case from the CIS was a mistake. This fact is supported by the statement of Sagar

Shinde dated 15 December 2024.

6. During investigation, the authorities obtained the file logs of CMA No. 113 of 2022 bearing CNR No. MHRG050047912023, which confirmed that the applicant had used the login credentials of Archana Hande. The IP logs showed that on 7 November 2023, he had altered the data in CIS as per instructions of co-accused Advocate Patwardhan. The same forged data appeared in the fabricated heirship certificate. Analysis of IP logs from both computers, that of the applicant and of Archana Hande, revealed that the same systems were used to manipulate records in about fifty cases. This evidence was supported by the statement of Archana Hande recorded under Section 183 of the BNSS.

7. The prosecution further verified the alleged challan of Rs. 75,000 issued in the name of Smt. Kamladevi Narayandas Gupta from the State Bank of India, New Panvel Branch. The bank informed that no such challan could be traced in its records. On 4 January 2025, the learned Civil Judge, Senior Division, Panvel reported to the Investigating Agency that on verification of the Court's GRAS account, no entry of Rs. 75,000 existed in the name of Smt. Kamladevi Gupta. This confirmed that the challan was forged. On further verification, the Court found that 128 heirship certificates had been issued on the basis of fake challans. A separate FIR No. 758 of 2024 came to be registered at Panvel City Police Station for similar offences.

8. It is also revealed that the applicant has several antecedents at Panvel City Police Station. These include Crime Register No. 670

of 2024 for the present offence, Crime Register No. 753 of 2024 for similar offences, and Crime Register No. 17 of 2025 for offences under various provisions of the BNS. The prosecution therefore contends that the applicant has a consistent pattern of tampering with official records, and his release at this stage may prejudice the investigation and affect public confidence in the justice system.

9. I have carefully considered the application, the submissions advanced by the learned Senior Advocate for the applicant, and the reply filed by the learned APP for the State. I have also perused the material collected during the course of investigation, including statements of witnesses, seizure panchnamas, file logs, and call data records.

10. The applicant seeks regular bail under Section 483 of the BNSS, 2023. The general principle governing grant of bail is that liberty of an individual should not be curtailed unless justified by reasonable apprehension of tampering with evidence, influencing witnesses, or repetition of similar offence. However, while applying these principles, the Court must consider the seriousness of the allegations, nature of evidence, and role attributed to the applicant.

11. In the present case, the allegations are of a very serious nature. The case involves deliberate tampering with official digital records maintained by the Civil Court at Parnel. These records form part of the Case Information System (CIS), which is an official database used across all courts in the State for recording,

updating, and tracking the progress of judicial proceedings. Each entry in the CIS has evidentiary and administrative value. It reflects the true position of a case and ensures transparency in the functioning of the judicial system.

12. Any unauthorized interference with such a system cannot be treated as a minor lapse. It amounts to manipulation of judicial records and strikes directly at the foundation of the justice delivery mechanism. When an individual holding a position of trust within the court administration uses that position to alter or erase court data, it amounts to a breach of official duty and abuse of authority. Such acts not only destroy the authenticity of official records but also erode public faith in the impartiality and reliability of court proceedings.

13. The investigation in this case has revealed that the digital manipulation was not accidental or due to negligence. The prosecution has placed on record technical data such as user access logs, IP logs, and deleted entries which show that the deletion and alteration of records were intentional. The user credentials of a fellow employee were misused. The data was altered in a manner that concealed the existence of a pending case and resulted in creation of false records. These actions, if proved, show a calculated attempt to interfere with the due course of justice.

14. The act of forging the signature of a presiding Judge on an order, and thereafter deleting the corresponding case entry from the official CIS database, cannot be treated as a mere administrative misconduct. It has the effect of creating a false

judicial record, misleading litigants, and obstructing lawful judicial proceedings. The digital trail gathered during the investigation shows deliberate access to the CIS on specific dates, and the same correlates with the period during which the forged order and challan came into existence. This correlation provides a credible foundation for the allegations.

15. Courts are the custodians of justice. The records maintained by courts are sacrosanct. When those entrusted with maintaining such records misuse their access and authority, the entire system stands at risk. Such acts go beyond personal misconduct; they threaten the integrity of judicial administration itself. The law treats such conduct as an offence against public justice, for it obstructs the due discharge of judicial functions.

16. Therefore, on a prima facie view based on the material collected, the Court finds that the present allegations, if ultimately proved at trial, would amount to serious interference with the due course of justice. The tampering of judicial records through digital manipulation not only affects a single case but also undermines the credibility of the judiciary as an institution. Such conduct cannot be ignored or lightly viewed, and must be examined with the gravity it deserves, supported by the evidence that has come on record.

17. The prosecution case, in brief, is that the applicant, while working as a Junior Clerk in the Civil Judge, Senior Division, Panvel, accessed the CIS system using the login credentials of another clerk, Mrs. Archana Hande. It is alleged that he modified,

altered, and deleted data relating to Civil Miscellaneous Application No. 113 of 2022, and also generated a forged challan of Rs.75,000 for the purpose of obtaining a fake heirship certificate. The investigation indicates that the deletion and forgery were done on the instructions of Advocate Amar Patwardhan, who is named as co-accused.

18. The statement of witness Archana Hande, recorded under Section 183 of the BNSS, reveals that her user ID and password were known to the applicant. The file logs of the CIS system indicate that her login credentials were used for accessing and altering the records of the concerned case on specific dates, namely, 7 November 2023, 23 November 2023, and 3 December 2023. These dates correspond to the period when the alleged forgery and deletion were committed. The IP logs also match the location of the computer used by the applicant.

19. The investigation further reveals that the computer system used by the applicant was seized under a panchnama dated 24 December 2024. Examination of that system shows that several other case records were accessed during the relevant period. The Investigating Agency has found that similar modifications were made in about fifty cases using the same credentials. This is not an isolated act but appears to be part of a systematic misuse of official access.

20. The prosecution has also placed on record the statement of witness Sagar Shinde, who stated that the applicant tried to persuade him to tell witness Archana Hande to admit that the case

deletion was accidental. This act shows a conscious attempt by the applicant to influence witnesses and interfere with the course of investigation.

21. Verification from the State Bank of India, New Panvel Branch, confirms that no challan of Rs.75,000 was ever deposited in the name of Smt. Kamladevi Gupta, and the GRAS account of the Civil Court shows no corresponding entry. The challan relied upon by the applicant and others is therefore prima facie forged. The learned Civil Judge, Senior Division, Panvel has reported that as many as 128 heirship certificates were issued on such fake challans, and a separate FIR has been registered for those offences.

22. The record further discloses that the applicant has multiple criminal antecedents involving similar acts of manipulation of court data and forgery of challans. These include Crime Register Nos. 670 of 2024, 753 of 2024, and 17 of 2025. The repeated nature of offences shows a continuing pattern of misconduct and deliberate abuse of official position.

23. The argument of the learned Senior Advocate that the applicant has been falsely implicated on suspicion and that no direct evidence is available does not merit acceptance at this stage. The digital footprints in the CIS logs, matching IP addresses, and the statement of witnesses form a chain of circumstantial evidence that prima facie establishes the applicant's involvement. Direct evidence of a person sitting before a computer is rarely available in cyber tampering cases. The digital log data carries evidentiary value similar to documentary proof.

24. The contention that the applicant should be released as charges have not been framed is also not persuasive. The materials collected show deliberate and repeated manipulation of judicial data. Considering the sensitivity of the institution involved, and the nature of the official data accessed, the applicant's release at this stage is warranted.

25. The offence alleged involves deep-seated criminal intent to fabricate judicial records and misuse of official access. Such conduct undermines the credibility of the justice delivery system. Courts have consistently held that offences affecting public administration, particularly judicial records, require stricter scrutiny while considering bail. The act of forging the signature of a sitting Judge and deleting case records from the Court's system amounts to serious interference with administration of justice.

26. On overall assessment of the material placed before the Court, this is not a case where the applicant can be granted regular bail. The allegations are supported by tangible electronic evidence, and the applicant's conduct after registration of FIR indicates possibility of influencing witnesses. His antecedents show propensity to commit similar offences.

27. Hence, considering the gravity of the offence, the nature of evidence, and the need to preserve the integrity of the ongoing investigation, I am of the considered view that the applicant does not deserve to be released on bail .

28. The Bail Application filed by the applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 stands rejected.

29. The observations made herein are only for the purpose of deciding the present bail application and shall not influence the merits of the trial.

30. The bail application is disposed of.

(AMIT BORKAR, J.)