

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

Bail Application No.1898 of 2025

Ganesh Baba Pawar, Pune.

Age: 35 yrs

R/at Dahiwadi, Tal. Man,

Dist.Satara, Yerwada Police Station ... Applicant.

Vs.

The State of Maharashtra

Through Inspector in charge,

Bhigwan Police Station, to be

served through PP, High Court,

Mumbai

... Respondent.

Mr Vaibhav Ugle, Advocate for the applicant.

Mr MG Patil, APP a/w Shahaji Shinde, Panel B Counsel for
State.

Coram : R.N.Laddha, J.

Date : 1 October 2025.

P.C. :

By this application, the applicant is seeking bail in connection with CR No.156 of 2024, registered at Bhigwan Police Station, Pune Rural, for the offences punishable under Sections 420, 489-A and 489-B read with Section 34 of the Indian Penal Code.

2. It is the prosecution's case that on 14th April 2024, the

informant lodged a First Information Report (FIR) alleging the commission of a cognizable offence. According to the recitals in the FIR, on the said date, the informant, accompanied by his grandson, Tanmay, visited the local cattle market with the intention of selling sheep. It is alleged that during the course of the transaction, the applicant and the co-accused expressed interest in purchasing sheep, and each of them purchased three sheep at the agreed price of Rs.8,500/- per sheep. Upon receipt of the said amount in cash, the informant handed over the sheep to the applicant and the co-accused, who thereafter left the market premises along with the livestock so purchased. Subsequently, the informant proceeded to a nearby footwear shop where he intended to purchase a pair of shoes priced at Rs.500/-. When he tendered the currency notes received from the applicant and the co-accused, the shopkeeper, upon scrutiny of the notes, found that the same was counterfeit by the applicant and the co-accused. It was at that juncture that the informant realised he had been deceived by the said individuals, who, by fraudulent inducement, caused him to part with his livestock against forged and counterfeit currency notes. Based on these allegations, an FIR came to

be registered at Bhigwan Police Station, and an investigation was initiated under the relevant provisions of the Indian Penal Code relating to the offence of cheating and use of counterfeit currency. During the course of the investigation, a search was conducted at the residential premises of the applicant/accused, wherein counterfeit currency notes amounting to Rs.17,000/- were recovered and seized.

3. The learned Counsel appearing on behalf of the applicant, submits that the applicant is innocent and has been falsely implicated in the present crime. It is contended that the applicant has no nexus with the alleged crime and has been arraigned solely on the basis of conjecture and surmise. The investigation into the matter has been concluded and the charge sheet has already been filed before the competent Court. Therefore, the custodial detention of the applicant is no longer warranted for the purpose of investigation. It is further submitted that continued incarceration of the applicant would serve no useful purpose. The applicant undertakes to cooperate with the trial proceedings and abide by any conditions that may be imposed by this Court. The learned Counsel has also drawn attention to the fact that the co-accused in the

present case has already been enlarged on bail by this Court, and hence, the principle of parity would equally apply to the applicant.

4. On the other hand, the learned APP representing the respondent/ State has opposed the present bail application, contending that the alleged offence is of a grave and serious nature, striking at the very root of the economic integrity of the nation. It is submitted that the applicant is actively involved in the circulation of counterfeit currency notes and was apprehended in possession of forged currency amounting to Rs.17,000/-, thereby *prima facie* indicating his complicity in the offence. Furthermore, the applicant's presence at the scene of the crime is corroborated by CCTV footage, which captures him in the act of committing the said offence. The learned APP further distinguishes the case of the present applicant from that of the co-accused, to whom bail has been granted, by submitting that the allegations against the co-accused were limited to his mere presence alongside the present applicant at the time of purchasing livestock, and that no direct involvement in the circulation or possession of counterfeit currency was attributed to him. Hence, the parity claimed by the

applicant is misconceived and untenable in law.

5. I have given anxious consideration to the rival submissions advanced by the learned Counsel for the applicant and the learned APP. I have also meticulously perused the material available on record. Upon a *prima facie* evaluation of the material collected during the course of investigation, it emerges that there exist specific, credible, and well-substantiated allegations against the applicant. The statement of the prosecution witnesses implicates the applicant in the commission of the alleged offence. The nature of the gravity of the accusation, particularly involving the circulation and possession of the counterfeit currency notes in substantial quantity, assumes serious proportions. The offence alleged strikes at the financial integrity and economic stability of the nation, and cannot be viewed lightly. The material on record *prima facie* discloses that the applicant was not only found in possession of the counterfeit currency notes but also actively participated in their circulation, thereby attracting the rigours of Sections 489-A and 489-B of the IPC. It further appears that the role attributed to the co-accused, who has been granted bail, is distinguishable and not analogous to that of the present

applicant. The parity principle, therefore, does not come to the aid of the applicant.

6. In view of the totality of the circumstances and the gravity of the offence, I am not persuaded by the submission of the learned Counsel for the applicant that no offence under Section 420, 489-A and 489-B IPC is *prima facie* made out. Accordingly, and in light of the foregoing discussion, the present bail application stands rejected.

[R. N. Laddha, J.]