

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.148 OF 2025

Nazeer Ahmad Mohammad Ahmad ...Applicant

V/s.

State of Maharashtra & Anr. ...Respondents.

.....
Mr. Bhushan U. Deshmukh for the Applicant.

Mrs. Anamika Malhotra, APP for the Respondent/State.

Ms Deepali Bagla, Appointed Advocate for the Respondent No.2.

.....
CORAM : N.R. BORKAR, J.
DATE : 07.05.2025.

P.C. :

1. This is an application for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No. 311 of 2024 registered at Malegaon Chavni Police Station, Nashik rural for the offences punishable under Sections 420, 467, 471, 415, 427, 425, 504, 506 read with 34 of the Indian Penal Code (IPC).
3. According to the prosecution, while the complainant was out of India for the purpose of his work, the applicant, who is his brother-in-law got prepared forged Power of Attorney in relation to land owned by the complainant bearing Gat No. 168 ad-measuring 52 R within the corporation limits of Malegaon. It is alleged that on the basis of said Power of Attorney, he got executed Sale -Deed in his own favour and then sold the said land to accused Nos.5 to 7, who then sold it to accused No.8.
4. I have heard the learned counsel appearing for the applicant, the learned APP for the respondent / State and the learned

appointed advocate for respondent No.2/complainant.

5. Learned counsel for the applicant submits that there is delay in lodging FIR. It is submitted that the applicant is 72 years old. The learned counsel for the applicant submits that nothing is to be recovered at the instance of the applicant and therefore there is no need of custodial interrogation. It is submitted that the applicant may be therefore released on anticipatory bail.

6. On the other hand, learned APP for the respondent/State and learned appointed counsel for the respondent No.2/complainant submit that the applicant is involved in serious crime of forgery and impersonation. It is submitted that the applicant, who is the brother-in-law of the complainant, took benefit of the fact that complainant was residing abroad. It is submitted that considering the nature of crime, the application may be rejected.

7. According to the prosecution, the applicant got prepared the forged Power of Attorney and on that basis got Sale Deed executed in his own favour. If according to the applicant, he was *bona fide* purchaser then he ought to have placed on record the copy of the Sale Deed & proof in relation to the payment of consideration. However, nothing is placed on record to that effect. Considering the nature of offence, I am not inclined to entertain the present application. The Application is rejected.

[N.R.BORKAR, J.]