



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.527 OF 2025

SHILADEVI PRABHAKAR CHANDANE ...APPLICANT
VS
STATE OF MAHARASHTRA ...RESPONDENT

WITH
ANTICIPATORY BAIL APPLICATION NO.528 OF 2025

PRAJYOT PRABHAKAR CHANDANE ...APPLICANT
VS
STATE OF MAHARASHTRA ...RESPONDENT

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Adv. P. B. Birajdar for the Applicants.
Adv. Nitin B. Patil, APP for the State in ABA/527/2025.
Adv. Rutuja A. Ambekar, APP for the State in ABA/528/2025.

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CORAM : RAJESH S. PATIL, J.

DATED : FEBRUARY 26, 2025

P.C.:

1. Mr. Birajdar, learned counsel for the applicants seeks liberty to add the first informant as party respondent no. 2.
2. Liberty is granted as prayed for. Amendment to be carried out forthwith.
3. The present anticipatory bail applications are filed in FIR where the offences arises out the evasion of stamp duty on a document of sale deed executed in favour of the present applicants.

4. The learned counsel for the applicants submits that the present applicants are ready to co-operate with police. The applicants are the bona fide purchasers, who believed the statement of the vendors and purchase the land which is around 2H 11R for a consideration. The stamp duty was accordingly paid. However, it is the case of the prosecution that on the said land, there was a structure (use for the purpose of godown). The said structure is around 291.81 sq.mtrs. Since the applicants have evaded the payment of stamp duty on the said document, the FIR was lodge against the said applicants and the vendor, who is arraigned as accused no. 3. The complaint was lodged by the informant being the Sub Registrar of Stamp Office at Sangola, Dist-Solapure. The applicant no. 1 is concerned, she is senior citizen and there are no antecedents reported against both the applicants. The applicants are in peaceful possession of the said land and the said land was used for cultivation purpose. However, though the applicants have purchase the land without the structure standing on it, in order to show their bona fide, the applicants are ready to deposit in this Court the amount of stamp duty claimed by the Registrar of Stamps being the defence of payment to be made as stamp duty.

5. The learned APP submits that the Investigating officer is not present as he had gone to Uttar Pradesh for investigating in a matter, therefore short adjournment may be granted.

6. Considering that the applicants are ready to show their bona fide by willing to deposit the amount of stamp duty claimed by the Registrar of Stamps, notice is required to be issued to the first informant.

7. Issue notice to the newly added respondent no. 2 returnable on **26 March, 2025**. Apart from Court notice, Advocate for the applicants is permitted to serve the newly added respondent no. 2 by Advocate's private notice by all permissible modes of service and file affidavit of service before the returnable date.

8. In the meanwhile, till the next date, no coercive steps be taken against the applicants.

(RAJESH S. PATIL, J.)