



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

ANTICIPATORY BAIL APPLICATION NO. 925/2025

VISHAL VILAS SALVE

..APPLICANT

VS.

STATE OF MAHARASHTRA & ANR.

..RESPONDENTS

Adv. Racheeta Dhuru a/w. Adv. Rohit P. Patil for the applicant.

Mr. A. A. Palkar, APP for the State.

Adv. Sachin Gite for respondent no.2.

CORAM : RAJESH S. PATIL, J.

DATE : APRIL 29, 2025.

P.C. :

1. In the present proceeding, an FIR has been lodged. The present applicant is one of the accused. A civil suit has been filed by the present applicant seeking declaration of ownership of a plot of land situated at Nashik based on a Will dated 18/9/2023 which is a notarized document wherein two witnesses have signed the said document. The notary has also signed the said document. A doctor's certificate has also been enclosed. As of day, the informant, who is the wife of the deceased Hemendra Vasudeo Bataviya, who is the testator of the Will has not filed any suit/counterclaim challenging the Will dated 18/9/2023. The testator of the Will bequeath the

subject plot to the present applicant, and the rest of the properties testator has given to his wife and son. Both the parties i.e. the present applicant and the informant have produced handwriting expert's opinion as far as signature of the testator is concerned. Both the opinions are opposite to each other i.e. the opinion produced by the applicant supports his case and the handwriting opinion produced by the informant supports her case.

2. The learned counsel for the informant submits that the applicant is a broker and has forged the document which is called as a Will of the deceased Hemendra Vasudeo Bataviya. He submits that the notary who had affirmed the Will has thereafter died. The doctor whose certificate has been enclosed to the Will is not a regular doctor with which the informant was taking treatment. The informant being the wife of the deceased stayed with her husband Hemendra Bataviya till he was alive and after his death, for some days, she visits to her son's house in U.K. There was no reason for the deceased to give away such a prime plot which is worth around Rs.50 crores to the applicant, who is not at all related to the present applicant.

3. The learned APP submits that the IO is not present today and he seeks short accommodation to take instructions from the IO. He

submits that the original subject Will needs to be produced before the IO since the IO would take steps in order to verify the genuineness of the Will and also to check the signatures since there are two handwriting experts opinions.

4. In view of the same, stand over to **23/6/2025**. Matter to come up under the caption **“for urgent circulation”**.

5. In the meantime, the applicant is directed to attend the concerned police station and meet the IO on 6/5/2025 between 11.00 a.m. to 1.00 p.m. in order to handover the original Will dated 18/9/2023.

6. The IO is directed to take further steps as regards the genuineness of the document and also as regards the signatures on the Will of the testator - Hemendra Vasudeo Bataviya.

7. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and shall not tamper with evidence.

8. It is made clear that in case, the Will dated 18/9/2023 is needed in the pending civil suit by the Court, the IO on a direction of the Court will hand over the same in the civil suit.

9. In the meantime, till the next date of the hearing, no coercive action be taken against the applicant.

(RAJESH S. PATIL, J.)