

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1124 OF 2025**

Vikas Raju Dulgach ...Applicant
V/s.
The State of Maharashtra and Anr. ...Respondents

Mr. Vinod Kashid, Advocate for the Applicant.
Mr. Rutuja Ambekar, APP for the Respondent/State.
Adv. A. Shaikh, Advocate for Respondent No.2.

CORAM : N.R. BORKAR, J.
DATE : 08.10.2025.

P.C. :

1. This is an application for Anticipatory Bail.
2. The applicant is apprehending his arrest in Crime No. 957 of 2022 registered at BKC Police Station, for the offences punishable under Sections 451, 352 & 506 of the Indian Penal Code.
3. It is the case of the prosecution that the first informant is a daily wage labourer and hails from Telangana. The first informant's son is the owner of the house in question in the present crime. In 2021, due to the Covid lockdown and the demise of her husband, the first informant had moved back to her native place. Thereafter, in 2022, she found out from a neighbour that some person has trespassed into her house. Accordingly, she came back and found that someone had broken into her house and residing there as well as her belongings were missing. The

allegations against the present applicant and other co-accused are of preparing forged documents in relation to the house owned by the first informant and taking forcible possession of the said house.

4. The learned counsel for the applicant has drawn my attention to the order passed by this Court dated 17.03.2025 in Anticipatory Bail Application No. 174 of 2023. By the said order, this Court has granted anticipatory bail to the co-accused Mukesh Duglach. The learned counsel for the applicant submits that the applicant has nothing to do with the alleged crime. It is submitted that the alleged forged agreement of sale is in favour of the said co-accused Mukesh Duglach. It is submitted that the first informant is in possession of the house in question. The learned counsel for the applicant, on instructions, makes a statement that applicant will not interfere with the possession of the first informant over the house in question.

5. On the other hand, the learned APP for the respondent-State and learned counsel for the respondent No.2 submit that the forged documents were prepared in relation to the house of the first informant. It is submitted that forcible possession of the house of the first informant was taken. It is submitted that considering the nature of crime, the applicant may not be released on anticipatory bail.

6. The learned counsel for the respondent No.2-first informant does not dispute that the first informant is in possession

of the house in question. The alleged agreement of sale is in favour of the co-accused. Considering the overall facts and circumstances, I am inclined to release the applicant on anticipatory bail. In the result, the following order is passed :

ORDER

- a) The Application is allowed.
- b) In the event of arrest of the applicant in connection with Crime No. 957 of 2022 registered at BKC Police Station, for the offences punishable under Sections 451, 352 & 506 of the Indian Penal Code, the applicant be released on bail on furnishing P.R. Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
- c) The applicant shall attend the concerned police station as and when called by the investigating officer and shall co-operate in the investigation.
- d) The applicant shall not interfere with the possession of the first informant over the house in question.
- e) Liberty is granted to file an application for cancellation of present anticipatory bail if the applicant commits breach of any of the above condition.
- f) The application is disposed of in the aforesaid terms.

[N.R.BORKAR, J.]