

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

ANTICIPATORY BAIL APPLICATION NO.1716 OF 2025

Shailesh Khetsi Hariya

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. Vishal Rankhambe a/w Aparna Rankhambe a/w Chaitanya M. Bagul
a/w Afsar Ansari for the Applicant.

Mr. P. H. Gaikwad, APP for the Respondent-State.

Mr. Yousuf Khan i/by Khan & Khan Law Firm for the Intervenor.

CORAM : N.R. BORKAR, J.

DATE : 03RD OCTOBER 2025

P.C. :

1. This is an Application for anticipatory bail.
2. The Applicant is apprehending his arrest in Crime No.209 of 2025 registered with Mahim Police Station for the offences punishable under Sections 506, 504, 471, 468, 467, 465, 420, 409 of the Indian Penal Code, 1860.
3. According to the first informant he is the owner of Shop Nos.11 and 12 situated at Victoria House, MAC Cross Road No.2, Mahim (W), Mumbai. He permitted the Applicant, who is his cousin, to occupy the said shop premises for his business purpose. It is alleged that the Applicant avoided to pay the rent to the first informant on one pretext or the other. The allegations against the Applicant are of preparing a forged Notarised MoU dated 07.07.2022 in the form of Agreement of Sale in respect of shop premises in question owned by the first informant.

4. Learned Counsel for the Applicant submits that the dispute between the parties is purely of civil nature. It is submitted that nothing is to be recovered at the instance of the Applicant and therefore there is no need of custodial interrogation.

5. Learned APP for the Respondent-State and Learned Counsel for the Respondent-first informant submit that the Applicant with an intent to grab the shop premises owned by the first informant has prepared the forged MoU. Learned APP submits that the investigating officer has recorded the statement of the Notary, before whom the alleged MoU was executed. It is submitted that the said Notary has stated that the said MoU was never executed before him. It is submitted that considering the nature of crime, the Applicant may not be released on anticipatory bail.

6. In view of the statement of Notary, *prima-facie*, the alleged MoU appears to be forged document. The intention of the Applicant appears to be to grab the shop premises owned by the first informant. Considering the overall facts and circumstances, I am not inclined to release the Applicant on anticipatory bail. Hence, the Anticipatory Bail Application is rejected.

(N.R. BORKAR, J.)