

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1904 OF 2025

Ramesh Rambhau Mate	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

WITH
INTERIM APPLICATION No.2894 of 2025
IN

Deepak Ram Gupta	...Applicant
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IN THE MATTER BETWEEN

Ramesh Rambhau Mate	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Chaitanya Pendse a/w Mangesh Shirsat a/w Atharva S. Jagtap,
for the Applicant.

Mr. Harshwardhan M. Pawar, for the Intervenor

Ms. G.P. Mulekar, APP, for the Respondent-State.

Mr. N.T. Chaman Shaikh, PSI, attached to Lonavala, Police Station,
present.

CORAM: MADHAV J. JAMDAR, J.

DATED : 14th NOVEMBER 2025

PC:-

1. Heard Mr. Chaitanya Pendse, learned Counsel appearing for the Applicant, Ms. Mulekar, learned APP for the Respondent-State and Mr. Pawar, learned Counsel appearing for the Intervenor.

2. By this application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (“**BNSS**”) the Applicant is seeking pre-arrest bail in connection with C.R. No.73 of 2025 registered on 17th February 2025 with the Lonavala Police Station, District Pune(Rural) for the offences punishable under Sections 420, 465, 467, 468, 470, 471 and 474 of the Bharatiya Nyaya Sanhita, 2023 (“**BNS**”).

3. As per the prosecution case, the First Informant i.e. Intervenor – Deepak Ramlubhaya Gupta stated in the FIR that FIR No.59 of 2019 (hereinafter referred to as “2019 FIR”) has been registered against him by the present Applicant by contending that, by taking advantage of the fact that a person namely Kaikeshru Sadar has no heir, after his death on 09th March 1978, a fake Sale Deed bearing document No.671 of 1961 has been prepared by the First Informant in order to acquire the property in Lonavala owned by Kaikeshru Sadar in his own name. It is the prosecution case in said 2019 FIR that the First Informant has also prepared fake stamps of Office of the Sub-Registrar, Maval and on the same fake Sale Deed shown that the same fake Sale Deed was certified on 06th June 2017 and for his own financial benefits he has filed an

Application on 17th October 2017 to the Gao Kamgar Talathi, Lonavala in order to make entries on 7/12 Extract on the basis of said fake Sale Deed. It is further prosecution case in said 2019 FIR that to use the fake Sale Deed as genuine the Accused destroyed the records of the Sub-Registrar Office at Maval with the help of the employees of the said Office of the relevant period. The chargesheet has been filed against the First Informant- i.e. against the said Deepak Ramlubhaya Gupta in said 2019 FIR.

4. It is the case of prosecution in C.R. No.73 of 2025 that alongwith the chargesheet filed in said 2019 FIR lodged against the First Informant, a Will is produced dated 19th September 1977. According to the First Informant, the said Will is a bogus Will as the Notary Dhananjay Deshpande who had allegedly signed on the said Will and put his seal was never the notary appointed in the State of Maharashtra.

5. Perusal of the record shows that the said Will *prima-facie* appears to be false and fabricated Will. The factual position concerning said Will has been investigated in said C.R. No.59 of 2019 registered against the First Informant and the EOW in the

said C.R.No.59 of 2019 during investigation received a letter dated 09th April 2025 issued by the Deputy Legal Advisor, Ministry of Law & Justice (Department of Legal Affairs Government of India, New Delhi) stating that there was no Notary appointed from Maharashtra by Government of India with the name Dhananjay N. Deshpande and the said registration No.3327 has been allotted to Ajitsinh Ranjitsinh Dodia of Gujarat by Government of India. Thus, *Prima-facie* the said Will appears to be a false and fabricated document. However, as far as the present C.R. is concerned being C.R. No.73 of 2025 it has been lodged by the First Informant i.e. Deepak Ramlubhaya Gupta who is Accused in C.R. No.59 of 2019, wherein, the allegation was that a fake Sale Deed of the year 1961 has been prepared and the record of the year 1961 has been destroyed. During investigation of the said C.R. No.59 of 2019 it has been brought on record that on the basis of said forged and fabricated Sale Deed of the year 1961 in the year 2017 the First Informant tried to enter his name to the Revenue Record.

6. It is an admitted position that, the father of the First Informant was working as Gardner with the deceased Kaikeshru Sadar who passed away in the year 1978. The father of the

Applicant was in possession of the subject land till his death in the year 2000 and thereafter the Applicant is in possession of the subject land till date.

7. Perusal of the record shows that the present FIR has been lodged by the First Informant- Deepak Ramlubhaya Gupta on the basis of the documents which are part of the chargesheet filed in C.R. No.59 of 2019 registered with Wadgaon Maval Police Station against the First Informant, however, investigated by EOW, Pune.

8. It is the contention of Mr. Pendse, learned counsel that as far as the allegations in the present C.R. the same are substantially investigated by the EOW, Pune. However, Ms. Mulekar, learned APP is right in contending that in said C.R. No.59 of 2019 offence is not investigated against the present Applicant and the same could not have been been investigated as the present Applicant was not the Accused in said C.R. No.59 of 2019.

9. Thus, it is clear that as far as the present C.R. is concerned investigation is required. However, the question is whether custodial interrogation is necessary. As far as the present C.R. i.e.

C.R. No. 73 of 2025 is concerned, admittedly, the same has been lodged by the Accused in C.R. No.56 of 2019 and the same has been lodged on the basis of the documents which have been annexed to the chargesheet filed in said C.R. No.59 of 2019. Perusal of the record shows that the allegation as far as the present Applicant is concerned is regarding preparing forged and fabricated Will dated 19th September 1977 of said deceased Kaikeshru Sadar.

10. The said alleged forgery is of the year 2017 as per the prosecution case. Thus in the facts and circumstances, at this stage the custodial interrogation is not necessary. Although, I am granting per-arrest bail, liberty is required to be given to the prosecution seeking cancellation of this protection if custodial interrogation is found necessary at a later stage of the investigation.

11. Accordingly, the following order is passed:

ORDER

(a) In the event of arrest of the Applicant- Ramesh Rambhau Mate in connection with C.R. No.73 of 2025

registered with the Lonavala Police Station, Pune (Rural) the Applicant is directed to be released on bail on his furnishing P.R. Bond in the sum of Rs.1,00,000/- with one or two solvent sureties in the like amount.

- (b) The Applicant shall attend the concerned Police Station on 18th November 2025, 19th November 2025, 20th November 2025 and 21st November 2025 and thereafter every Sunday between 11:00 a.m. to 02:00 p.m. till filing of the chargesheet and shall cooperate with the investigation. In addition, the Applicant shall attend the concerned Police Station as and when called.
- (c) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (d) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or

to any Police personnel.

- (e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (f) The Applicant shall not leave India without prior permission of the Court.

12. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]