

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2220 OF 2025

Smt. Shailaja Dnyandeo Nalavade	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Avinash B. Avhad (through VC) a/w Mr. Sachin Gawade, Ms. Purva Pradhan, for the Applicant.
Ms. S.M. Yadav, APP, for the Respondent-State.
PI, Mr. Ashok Sharmale, Bhadrakali Police Station, Nashik present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 11th NOVEMBER 2025

PC:-

1. This Court has passed detailed Order in this Anticipatory Bail Application on 11th September 2025. The said Order reads as under:-

“1. This application is filed seeking pre-arrest bail in connection with C.R. No.230 of 2025 registered with the Bhadrakali Police Station, Nashik for the offence punishable under Sections 338, 336(3), 316(4), 61(2), 62 read with 3(5) of the Bhartiya Nyaya Sanhita, 2023. The offence is registered on 18th June 2025.

2. It is the main contention of Mr. Avhad, learned Counsel appearing for the Applicant that the Applicant has been made scapegoat. He submits that the main person involved in the crime is Mr. Bhaskar Murlidhar Bhagare, however, as he is the Member of Parliament,

therefore, no offence is registered against him. He further submits that the material on record shows that the Member of Parliament Mr. Bhaskar Bhagare as well as other higher officials i.e. Chief Executive Officer, Additional Chief Executive Officer and Chief Accountant and Finance Officer are involved in the offence, however, the F.I.R. has been lodged against the Applicant, who at the relevant time was Executive Engineer and has been targeted as she has for the first time noticed the scam. He submits that the Applicant has been made scapegoat as she has pointed out the scam.

3 Mr. Avhad, learned Counsel submits that fake and fabricated Government Resolution mentions about 52 projects and the scam may be involving more than 500 crores. He submits that the said fabricated Government Resolution has been submitted by Mr. Bhaskar Bhagare, Member of Parliament before the Executive Engineer along with his letter.

4. If there is substance in the above submissions made by Mr. Avhad, learned Counsel, then this is a very serious case where the Member of Parliament and higher officials of State of Maharashtra are involved in the serious crime. However, F.I.R. has been lodged only against the Applicant, who at the relevant time was Executive Engineer and according to her contention as she has noticed the scam, she has been made scapegoat.

5. Accordingly, the Respondent-State of Maharashtra is directed to file affidavit-in-reply. Let such affidavit-in-reply be filed within a period of two weeks from today.

6. In view of the submissions made by Mr. Avhad, learned Counsel for the Applicant, the case is made out for grant of interim protection to the Applicant till the next date. Accordingly, the following order is passed:

ORDER

- (a) In the event of arrest of the Applicant-Shailaja Dnyandeo Nalavade in connection with C.R. No.230 of 2025 registered with the Bhadrakali Police Station, Nashik, under Sections 338, 336(3), 316(4), 61(2), 62 read with 3(5) of the Bhartiya Nyaya Sanhita, 2023, the Applicant is directed to be released on bail on her furnishing P.R. Bond in the sum of Rs.5,000/- with one or two solvent sureties in the like amount.
- (b) The Applicant shall attend the concerned Police Station as and when called.
- (c) The Applicant shall furnish her 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.

7. Stand over to 18th September 2025. To be listed fairly high on supplementary board.”

2. This Court thereafter passed following Order on 22nd September 2025:-

“1. This is a very shocking case, where Mr. Bhaskar Bhagare, who is a Member of Parliament, has submitted a letter before the Executive Engineer who is the Applicant on 2nd December 2024 enclosing a Government Resolution (GR) dated 6th August 2024, stating that sanction is given for certain work. As the said GR which was annexed along with the said letter of Mr. Bhaskar Bhagare, Member of Parliament, was forged and fabricated, a FIR being CR No.230 of 2025 has been registered on 18th June 2025 against the Applicant.

2. Mr. Ashok Sharmale, Police Inspector, Bhadrakali Police Station, Nashik, is personally present in the Court. On his instructions, Ms. Yadav, learned APJ, states that Mr. Bhaskar Bhagare, Member of // Parliament, by a separate letter dated 19th May 2025 as submitted to the Chief Executive Officer, has stated that the earlier letter is not sent by him. It is required to be noted that, in the earlier letter, there is a stamp of 'Inward', which mentions the said letter has been received by the Executive Engineer on 2nd December 2024. No such 'Inward' stamp is on the letter dated 19th May 2025. Prima facie, letter dated 19th May 2025 is ante-dated and it is doubtful whether the same was submitted to the Executive Engineer.

3. It appears that, as there is material to show that prima facie Mr. Bhaskar Bhagare, Member of Parliament is involved in a very serious crime, the Investigating Officer is taking steps in such a manner that the offence

is not registered against Mr. Bhaskar Bhagare, Member of Parliament and the same is not investigated in proper manner.

4. Ms. Yadav, learned APP shall retain the papers of this case as brought by the Investigating Officer.

5. In the facts and and circumstances, the learned Advocate General is requested to appear in the matter.

6. Stand over to 24th September 2025. To be listed 'first on board'.

7. Ad-interim protection granted earlier to the Applicant shall remain in operation till next date.”

3. On 24th September 2025, Dr. Birendra Saraf, learned Advocate General appeared and informed the Court that the Police authorities are also investigating into the conduct of Mr. Bhaskar Murlidhar Bhagare, Member of Parliament. The said Order reads as under :-

“1. In the order dated 11th September 2025 and 22nd September 2025, this Court has recorded that the forged and fabricated Government Resolution has been annexed to the letter dated 2nd December 2024 of Mr. Bhaskar Murlidhar Bhagare, Member of the Parliament addressed to the Executive Engineer. However, FIR has been lodged against the Executive Engineer and the FIR has not been lodged against Mr. Bhaskar Murlidhar Bhagare, Member of the Parliament.

2. Learned Advocate General who appears today in this Court pursuant to the order dated 22nd September 2025 passed by this Court states that the Police Authorities have informed him that the investigation will also be conducted in the conduct of Mr. Bhaskar Murlidhar Bhagare, Member of the Parliament and therefore time be granted.

3. By order dated 22nd September 2025, this Court has directed the learned APP to retain the papers of this case as brought by the Investigating Officer. For the purpose of investigation, the said papers be returned to the Investigating Officer.

4. Stand over to 8th October 2025. To be listed fairly high on board.

5. Ad-interim protection granted earlier shall remain in operation till the next date.”

4. Learned APP states that statements of about 19 witnesses are examined including of Bhaskar Murlidhar Bhagare, Member of Parliament and admitted signature of Mr. Bhaskar Murlidhar Bhagare, Member of Parliament along with signature on letter, which has been received by Zilla Parishad, Nashik on 2nd December 2024 (Page-59) of anticipatory bail application is sent to the handwriting expert. She submits that the investigation of the crime is going on.

5. Mr. Avhad, learned Counsel for the Applicant submits that the Applicant has co-operated with the investigation and attended the Police Station as and when called by Police.

6. Thus, in the facts and circumstances, the Anticipatory Bail Application is allowed and disposed of in terms of the Order dated 11th September 2025 passed by this Court.

[MADHAV J. JAMDAR, J.]