

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

ANTICIPATORY BAIL APPLICATION NO. 3269 OF 2025

Vivek Ganesh Jadhav

...Applicant

V/s.

The State of Maharashtra

...Respondent

Mr. Uday Warunjikar a/w Mr. Pankaj Purway & Mr. Shubham Yadav,
Advocate for the Applicant.

Mr. Rutuja Ambekar, APP for the Respondent/State.

API. S. K. Lahane, Noupada Police Station, present.

CORAM : N.R. BORKAR, J.
DATE : 28.11.2025.

P.C. :

1. This is an application for Anticipatory Bail.
2. The applicant is apprehending his arrest in Crime No. 678 of 2025 registered at Naupada Police Station, for the offences punishable under Sections 336(2) & 340(2) of the Bharatiya Nyaya Sanhita, 2023.
3. The applicant, who is a police constable, was working at Naupada Police Station and thereafter was transferred to police headquarters, Thane. Thereafter, the applicant filed an application challenging the transfer before Maharashtra Administrative

Tribunal (for short MAT). In the said proceedings, the applicant filed a document, i.e., leave application allegedly submitted to the Senior PI of Naupada Police Station. It is alleged that the said application was never submitted to the police station and signature thereon of Police Station Officer of Naupada Police Station is forged.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent-State.

5. The learned counsel for the applicant submits that the alleged forged document was filed in the proceedings before the MAT. It is submitted that Section 215 BNSS bars the Court of taking cognizance of any such offence, except on the complaint by that Court. It is submitted that there is no need of custodial interrogation and that the applicant is ready and willing to co-operate in the investigation. The learned counsel for the applicant submits that the applicant, without prejudice to his rights and contentions, is willing to pay Rs.50,000/- to the Police Welfare Fund within a period of four weeks.

6. On the other hand, the learned APP for the respondent-State submits that considering the nature of crime, the applicant may not be released on anticipatory bail.

7. I have perused the First Information Report. *Prima facie*, there appears to be substance in the submission of the learned counsel for the applicant. Nothing is to be recovered at the instance of the applicant and therefore there is no need of custodial interrogation. In that view of the matter, 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. 678 of 2025 registered at Naupada Police Station, for the offences punishable under Sections 336(2) & 340(2) of the Bharatiya Nyaya Sanhita, 2023, 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 commit any other crime.

e) The applicant, without prejudice to his rights and contentions, shall deposit Rs.50,000/- with the Police Welfare Fund within a period of four weeks.

[N.R.BORKAR, J.]