

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3449 OF 2025**

Anjali Arvind Karle	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO.3442 OF 2025**

Dilip Porushotam Gupchup	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO.3448 OF 2025**

Nalini Bhalchandra Gupchup & Ors.	...Applicants
<i>Versus</i>	
The State of Maharashtra	...Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO.3450 OF 2025**

Vidya Shankar Bade-Sangle	...Applicant
<i>Versus</i>	
The State of Maharashtra & Ors.	...Respondents

Mr. Nitin P. Deshpande a/w. Mr. Mayur Nikam, Ms. Anjali S. Shinde and Mr. Santosh P. Kurade, for the Applicant in ABA/3449/2025, ABA/3442/2025 and ABA/3448/2025.

Mr. Rajendra Anbhule a/w. Ms. Gayatri Kale, for the Applicant in ABA/3450/2025.

Mr. Nitin Gaware Patil a/w. Mr. Shantanu Kolhe and Mr. Harsh Rahtod, for the Intervenor in ABA/3449/2025, ABA/3442/2025 and ABA/3448/2025 and for the Respondent No.2 in ABA/3450/2025.

Ms. S. M. Yadav, APP, for the Respondent-State in ABA/3449/2025,

ABA/3442/2025 and ABA/3448/2025.

Ms. S. K. Gajre, APP, for the Respondent-State in ABA/3450/2025.

Mr. Mahanvar, API, attached to Dapodi Police Station, Pune, present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 24th DECEMBER 2025

PC:-

1. Heard Mr. Deshpande, learned Counsel appearing for the Applicants in Anticipatory Bail Application No.3449 of 2025, Anticipatory Bail Application No.3442 of 2025 and Anticipatory Bail Application No.3448 of 2025 and Mr. Anbhule, learned Counsel appearing for the Applicants in Anticipatory Bail Application No.3450 of 2025, Mr. Nitin Gaware Patil, learned Counsel appearing for the First Informant/Intervenor and Ms. Yadav, learned APP and Ms. Gajre, learned APP appearing for the Respondent-State.

2. The Interim Application filed by the First Informant/Intervenor is allowed and disposed of as such.

3. These Anticipatory Bail Applications are filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail in connection with C.R. No.308 of 2025 registered with Dapodi Police Station, Pimpri-Chinchwad, Pune, for the offences

punishable under Sections 198, 199, 316(5), 318(4) of the Bharatiya Nyaya Sanhita, 2023.

4. The Applicant in Anticipatory Bail Application No.3449 of 2025 is accused No.2, the Applicant in Anticipatory Bail Application No.3442 of 2025 is accused No.1, the Applicants in Anticipatory Bail Application No.3448 of 2025 are accused Nos.16 to 19 and 21 to 23 and the Applicant in Anticipatory Bail Application No.3450 of 2025 is accused No.26.

5. As per the prosecution case, the heirs of the original owner-Heramb Pandharinath Gupchup i.e. accused Nos.1 to 23 sold the Survey No.20 totally admeasuring 6 hector and 32 R to accused Nos.24 and 25. It is the prosecution case that the land in question is in possession of Animal Husbandry Department of the State of Maharashtra and that there is specific entry to the effect that the land could not be sold without the permission of the Government of Maharashtra and inspite of the same, the said land has been sold.

6. This Court has passed the order dated 11th December 2025 in Anticipatory Bail Application No.3413 of 2025 and Anticipatory

Bail Application No.3419 of 2025, which are filed by the accused Nos.3, 4, 6 to 14 and accused Nos.24 and 25 respectively.

7. Mr. Deshpande, learned Counsel appearing for the Applicants in Anticipatory Bail Application No.3449 of 2025, Anticipatory Bail Application No.3442 of 2025 and Anticipatory Bail Application No.3448 of 2025 and Mr. Anubhavane, learned Counsel appearing for the Applicants in Anticipatory Bail Application No.3450 of 2025 have made similar submissions as made by the learned Counsel appearing for the Applicants in Anticipatory Bail Application No.3413 of 2025 and Anticipatory Bail Application No.3419 of 2025. The said submissions as recorded in the said order dated 11th December 2025 are reproduced herein below for ready reference:

“4. It is the submission of Mr. Patil, learned Senior Counsel appearing for the Applicants in Anticipatory Bail Application No.3413 of 2025 and Mr. Gorwadkar, learned Senior Counsel appearing for the Applicants in Anticipatory Bail Application No.3419 of 2025 that Tahsildar, Taluka- Mulshi, District- Pune has directed that revenue record pertaining to land bearing Survey Nos.20 and 21 at Mouje Tathawade, Taluka- Mulshi, District- Pune be rectified and name of State Government be shown in the revenue record of the said land. The said order is challenged by the heirs of original owner-Heramb Pandharinath Gupchup by filing Writ Petition No.840 of 2024 and the Division Bench of this Court has set aside the said order by order dated 11th July 2024 as regards Survey No.20. The Division Bench in

the said order dated 11th July 2024 has recorded that though the Award was passed on 3rd February 1966 under Land Revenue Code, 1896, Survey No.20 was not part of the acquired land. Therefore, both the learned Senior Counsel submit that the subject land is not belonging to the Government of Maharashtra and the same has been accordingly sold by registered Sale Deed dated 9th January 2025. Learned Senior Counsel submit that subsequently again the Tahsildar, Taluka- Mulshi, District-Pune by order dated 15th May 2025 directed that the following condition be inserted in the revenue record:

“२) सदर दावा जमिनीचे इतर अधिकारात “मा. पशुसंवर्धन आयुक्त यांचा ताबा असे शासनाचे पूर्वपरवानगी शिवाय खरेदी विक्रीस बंदी” असा शेरा ठेवण्यात यावा.”

Learned Senior Counsel submit that the said order dated 15th May 2025 is challenged in this Court by filing Writ Petition. Learned Senior Counsel submit that when the Sale-Deed was executed the above condition was not in the revenue record. Learned Senior Counsel submit that in any case the custodial interrogation is not necessary. There are no antecedents against the Applicants and therefore, the pre-arrest bail be granted.”

8. On the other hand, Ms. Yadav, learned APP and Ms. Gajre, learned APP appearing for the Respondent-State and Mr. Gaware Patil, learned Counsel appearing for the First Informant/Intervenor strongly oppose the grant of pre-arrest bail. All of them submit that the offence is very serious and therefore, the Anticipatory Bail Applications be rejected.

9. Mr. Gaware Patil, learned Counsel appearing for the First Informant/Intervenor points out Award which has been passed on 3rd February 1966 regarding some other lands and specifically pointed out the observations on internal page 5 to the following effect:

“Chinchwad is declared as Industiral area. S. No.23 and 24 from village-Thergaon and S. Nos.20, 21 and 22 from village-Tathavade are held by the Sheep Breeding Centre. Additional area of about 128 acres of Agricultural lands from village-Tathavade was acquired by agreement in the year 1963.”

10. He also points out the order dated 15th May 2025 passed by the Tahsildar, Paud, Mulashi in Case No.149/150/21/2023. He therefore, submits that the offence is very serious and therefore, the Applicants be not granted pre-arrest bail.

11. Although various contentions are raised by all the learned Counsel as also learned APPs concerning the illegality and validity of the said Sale Deed dated 9th January 2025, while dealing with Anticipatory Bail Applications, this Court need not go into those aspects. The only question is whether the custodial interrogation is necessary.

12. For the purpose of examining necessity of the custodial interrogation in this matter, it is necessary to consider the principal

submission of Ms. Yadav, Ms. Gajre, learned APPs and Mr. Gaware Patil, learned Counsel appearing for the First Informant that the subject land belongs to the Government of Maharashtra and the same has been sold by the accused i.e. Applicant.

13. Perusal of the record shows that, the Tahsildar, Mulshi (Pune) by order dated 12th October 2023 directed that in the revenue record of Survey Nos.20 and 21/1, 21/2, 21/3, 21/4 and 21/5 of Mouje-Tathawade, Taluka-Mulshi, District-Pune, name of Commissionerate of Animal Husbandry, State of Maharashtra be included. The said order dated 12th October 2023 was challenged before the Division Bench of this Court in Writ Petition No. 840 of 2024 and the Division Bench of this Court by order dated 11th July 2024 has set aside the said order insofar as Survey No.20 is concerned. In the said order of the Division Bench it is specifically observed that though an award was passed on 3rd February 1966 under the Land Revenue Code, 1869 Survey No.20 was not the acquired land.

14. Admittedly, when the subject Sale Deed was executed on 9th January 2025 there was no such condition in the revenue record as directed to be entered in the revenue record pursuant to the

subsequent order dated 15th May 2025 of Tahsildar which has been subject matter of challenge in a separate Writ Petition filed by the Applicants and others.

15. As already noted, the Division Bench of this Court in the order dated 11th July 2024 passed in Writ Petition No.840 of 2024 has specifically observed that though the Award was passed on 3rd February 1966, Survey No.20 was not part of the acquired land.

16. Although it is the contention of Mr. Gaware Patil, learned Counsel that on the basis of the Award which has been passed with respect to some other lands that inter alia Survey No.20 is held by the Sheep Breeding Centre, there is nothing on record to show that Government of Maharashtra has acquired the said land.

17. As noted herein above, even a Division Bench of this Court has observed that the subject land i.e. Survey No.20 is not part of the acquired land. Mr. Gaware Patil, learned Counsel appearing for the First Informant has also failed to point out any material to substantiate the contention that the land belongs to the State of Maharashtra except abovereferred observation in the Award dated

3rd February 1966 which has nothing to do with the title of the said land.

18. In any case, this Court is considering only pre-arrest bail where the only issue is whether custodial interrogation is necessary and whether the Applicants will be available for investigation. It is not necessary to consider various submissions raised concerning the legality and validity of the transaction in question in detail. However, the said contentions are examined *prima facie* to consider necessity of custodial interrogation.

19. As Mr. Deshpande, learned Counsel and Mr. Anbhule, learned Counsel appearing for the Applicants submitted that the Applicants will co-operate with the investigation and that there are no criminal antecedents against the Applicants, case is made out for grant of pre-arrest bail.

20. In any case, in the facts and circumstances, the custodial interrogation of the Applicants is not necessary.

21. Accordingly, the case is made out for grant of Anticipatory Bail by imposing certain conditions.

22. In view thereof, the following order is passed:

ORDER

(a) In the event of arrest of the Applicant-Anjali Arvind Karle (in Anticipatory Bail Application No.3449 of 2025), the Applicant-Dilip Porushotam Gupchup (in Anticipatory Bail Application No.3442 of 2025), the Applicant No.1-Nalini Bhalchandra Gupchup, the Applicant No.2-Rajan Bhalchandra Gupchup, the Applicant No.3-D. Vaishali and the Applicant No.4-Rajendra Jaganath Gupchup, the Applicant No.5-Sanjay Jagganath Gupchup, the Applicant No.6-Avinash Jagganath Gupchup, the Applicant No.7-Suhasini Arun Gupchup and the Applicant-Manjiri Abhijeet Kulkarni (in Anticipatory Bail Application No.3448 of 2025), the Applicant -Vidya Shankar Bade-Sangle (in Anticipatory Bail Application No.3450 of 2025) in connection with C.R. No.308 of 2025 registered with the Dapodi Police Station, Pimpri-Chinchwad, Pune, they be directed to be released on bail on their furnishing P.R. Bond in the sum of Rs.50,000/- each with one or two solvent sureties each in the like amount.

- (b) The Applicants shall attend the Dapodi Police Station, Pimpri-Chinchwad, Pune, on 5th January 2026 and 6th January 2026 between 11:00 a.m. to 02:00 p.m. and thereafter as and when called by the Investigating Officer and shall co-operate with the investigation.
- (c) The Applicants shall furnish their cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (d) The Applicants 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 Applicants shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (f) The Applicants shall not leave India without prior permission of the Court.

23. The Anticipatory Bail Applications are disposed of accordingly.

[MADHAV J. JAMDAR, J.]