

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3543 OF 2025**

Rameez Shaukat Thobani & Anr.	...Applicants
<i>Versus</i>	
The State of Maharashtra	...Respondent

**WITH
CRIMINAL APPLICATION (ST) NO.26392 OF 2025
IN
ANTICIPATORY BAIL APPLICATION NO.3543 OF 2025**

Yogendra Pukhraj Vyas	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Sanjeev Kadam a/w. Mr. Chinmay Patil, Mr. Yash Mehta, Mr. Seoul Shah, for the Applicants.
Mr. Vikram Sutaria (through Video Conferencing) a/w. Mr. Hrituraj Singh, for the Intervenor.
Ms. S. K. Gajre, APP, for the Respondent-State.

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

PC:-

1. Heard Mr. Kadam, learned Senior Counsel appearing for the Applicants, Mr. Vikram Sutaria, learned Counsel appearing for the Intervenor and Ms. Gajre, learned APP appearing for the Respondent-State.

2. This application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail in connection with C.R. No.824 of 2025 registered with Yerwada Police Station, Pune City, Pune, for the offences punishable under Sections 3(5), 340(2), 336(3), 336(2), 318(4) and 319(2) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case is set out in paragraph Nos. 2 to 4 of the order dated 18th December 2025 passed by the learned Additional Sessions Judge, Pune in Criminal Bail Application No.8443 of 2025, which reads as under:

“2] In brief it is case of the prosecution that informant have given his property on leave and license basis by registered document no. 16477 of 2023 to applicant no. 1 for the period of 5 years though the agent. Thereafter she asked the applicant no.1 to vacate the said premises as it was required for her. But the applicant no. 1 did not respond the informant. So she filed petition before the competent authority. In the mean time the applicant no. 1 filed Spl. Civil suit no. 632 of 2025 for specific performance of contract on the ground that the informant agreed to sell the said property to him.

3] Suddenly, the applicant no. 2 who is the employee of applicant no. 1 in back behind of the informant given an application under RTI Act before MSEDL Shastrinagar, Pune to know that in whose name the electric meter of the house was fixed. The said application was given by putting the signature of the informant and her mobile number and it was shown

that she is the proper person who is asking information under RTI Act. She got knowledge about it when she got information from the competent authority on telephone that the information asked by her is ready and she can take the information. Thus the applicant no.1 & 2 have created false and fabricated document and cheated the informant at the office of MSEDL and lodged report. On her report offence described above is registered.

4] Applicant gave this application contending that they did not give any application as civil dispute is pending between applicant and informant. To give criminal nature to dispute false case is filed. The custody of applicant is not required for investigation of the crime. Hence they may be released on anticipatory bail.”

4. It is the submission of Mr. Kadam, learned Senior Counsel that the Applicants are not involved in the crime. However, he submits that the Applicants are ready to settle all the disputes with the Intervenor i.e. the First Informant. He tenders affidavit dated 24th December 2025 of the Applicants. Paragraph Nos.3 and 4 of the said affidavit are relevant, which read as under:

3. I state that, with a bona fide intention to amicably resolve the disputes and bring a complete quietus to all litigations, I have proposed a settlement to the Complainant, without prejudice and without admitting any allegations or liability. Hereto annexed and marked as Annexure A is copy of the draft of the proposed settlement terms.

4. I state and undertake before this Hon'ble Court that subject to the Complainant being agreeable to

the proposed settlement, including withdrawal of all complaints and cooperation for quashing of criminal proceedings, I propose and undertake as under:

a. That I shall vacate and hand over vacant and peaceful possession of the said premises within a period of two (2) months from the date of acceptance of the settlement by the Complainant.

b. That upon vacating the premises, I shall remove all my belongings and shall not claim any right, title or interest in the said premises.

c. That I shall withdraw Special Civil Suit No. 632 of 2025 filed by me against the Complainant.”

5. On the other hand, Ms. Gajre, learned APP strongly opposes the Anticipatory Bail Application. She submits that the offence is very serious where a forged application has been sent to the M.S.E.B. She therefore, submits that the Anticipatory Bail Application be rejected.

6. Mr. Sutaria, learned Counsel appearing for the Intervenor, on instructions of the Intervenor, submits that the First Informant has also no objection to settle the matter with the Applicants. He submits that if the statements made in the affidavit are complied with, the First Informant will give consent for quashing of the FIR.

7. The statements made in the affidavit by the Applicants are accepted as undertakings given to this Court.

8. Although the offence is very serious, in the facts and circumstances, the case is made out for grant of Anticipatory Bail. In view thereof, the following order is passed:

ORDER

- (a) In the event of arrest of the Applicant No.1-Rameez Shaukat Thobani and the Applicant No.2-Pawan Abhay Khabia in connection with C.R. No.824 of 2025 registered with the Yerwada Police Station, Pune City, Pune, the Applicants are directed to be released on bail on their furnishing P.R. Bond in the sum of Rs.1,00,000/- each with one or two solvent sureties each in the like amount.
- (b) The Applicants shall attend the Yerwada Police Station, Pune City, Pune, 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.

9. The Anticipatory Bail Application is disposed of accordingly.

10. The Interim Application filed by the First Informant is taken on record and disposed of in view of the disposal of the Anticipatory Bail Application.

11. Criminal Application (ST) No.26392 of 2025, which is wrongly tagged with this Anticipatory Bail Application be de-tagged.

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[MADHAV J. JAMDAR, J.]