

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 944 OF 2025

Vilas A. Gaikar ...Applicant
V/s.
The State of Maharashtra ...Respondent.

WITH

INTERIM APPLICATION NO. 3458 OF 2025

WITH

ANTICIPATORY BAIL APPLICATION NO. 757 OF 2025

1. Pundlik B. Kene
2. Yashwant B. Kene
3. Uttam B. Kene
4. Sudam G. Kene
5. Sunanda M. Bhoir
6. Lata R. Mhatre
7. Surekha D. Bhoir
8. Geeta G. Tare
9. Sandhay J. Patil ...Applicants
V/s.
The State of Maharashtra ...Respondent.

WITH

INTERIM APPLICATION NO. 3496 OF 2025

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Mr. Dushyant Pagare for the Applicant in ABA/944/25.
Mr. Pravin H. Padave for the Applicants in ABA/757/25.
Mrs. Rutuja Ambekar, APP for the Respondent/State
Ms Sangita A. Zunjarrao for the Applicant in IAs.
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CORAM : N.R. BORKAR, J.
DATE : 26.09.2025.

P.C. :

1. Both these applications filed for anticipatory bail are arising out of one and the same crime. They are thus being disposed of by this common order.

2. The applicants are apprehending their arrest in Crime No.38 of 2025 registered at Kalyan Taluka Police Station, Dist. Thane for the offences punishable under Sections 406, 420, 465, 466, 471 read with 34 of the Indian Penal Code, 1860.

3. The grandfather of first informant, who died on 15th April 1965, was a tenant in the land bearing Survey Nos.58/3 and 58/6 at village Sangode, Taluka Kalyan, District Thane. According to the first informant, in the year 2018 he came to know that the government has acquired the said lands for Mumbai-Vadodara Highway No.4. On inquiry, he found that in the year 2020, the present applicants submitted forged Aadhar Card and consent letter of his grandfather to the concerned authority. It is alleged that as the applicants submitted the said forged documents, the entire amount of compensation of Rs.63,54,637/- was paid to them.

4. I have heard the respective learned counsel for the applicants, learned APP for the respondent/State and learned counsel for the first informant/intervenor.

5. The applicants in Anticipatory Bail Application No. 757 of 2025 are the land owners. The learned counsel for the said applicants submits that the applicants are not well educated and therefore, they sought the help of the applicant in Anticipatory Bail Application No. 944 of 2025. It is submitted that he has done the entire paper work for getting the compensation. It is submitted

that the applicants have nothing to do with the alleged forgery. It is submitted that some of the applicants are senior citizens. It is submitted that the applicants are ready to cooperate in the investigation.

6. Learned counsel for the applicant in Criminal Anticipatory Bail Application No.944 of 2025 submits that the applicant has nothing to do with the alleged forgery. It is submitted that there is no need of custodial interrogation and the applicant is ready to cooperate in the investigation.

6. On the other hand, learned APP for the respondent/State and the learned counsel for the first informant/intervenor submit that the forged Aadhar Card and the consent letter were submitted to the concerned authority and on the basis of said forged documents entire amount of compensation was paid to the applicants in Anticipatory Bail Application No.757 of 2025. It is submitted that the applicant in Anticipatory Bail Application No.944 of 2025 has received Rs.6,00,000/- from the land owners. It is submitted that considering the nature of crime, the applicants may not be released on anticipatory bail.

7. The fact that the grandfather of the first informant was the tenant in the land in question is not in dispute. It is also not in dispute that the forged Aadhar Card and consent letter of the grandfather were submitted and on the basis of said forged documents, the entire amount of compensation was paid to the land owners. It is also not in dispute that the applicant in

Anticipatory Bail Application No. 944 of 2025 has received an amount of Rs.6,00,000/- from the land owners, i.e., the applicants in Anticipatory Bail Application No. 757 of 2025. In the facts and circumstances of case, custodial interrogation of the applicants is necessary to unearth as to who has prepared the said forged Aadhar Card and from where it was prepared. I am therefore, not inclined to release the applicants on anticipatory bail. Hence, the Applications are rejected.

8. This Court by order dated 9th April 2025 permitted the applicant in Anticipatory Bail Application No. 944 of 2025 to deposit the amount of Rs.6,00,000/- in the Registry of this Court. The said amount be refunded to him.

9. Interim Applications stand disposed of.

[N.R.BORKAR, J.]