IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2575 OF 2025

Anagha Anil Dudhane & Ors. …Applicants

V/s.

The State of Maharashtra ...Respondent

WITH
INTERIM APPLICATION NO. 3540 OF 2025

Mr. Prashant Pandey, Mr. Dinesh J., Adv. Riddhima i/b Mr. Tushar N. Halwai, Advocate for the Applicant.
Mr. P. H. Gaikwad, APP for the Respondent/State.
Mr. Rahul Shelke a/w Ms. Akshada Karale, Ms. Pragatee M. Khopkar, Advocate for Intervener/Org.Informant.

CORAM : N.R. BORKAR, J.
DATE : 25.09.2025.

P.C. :

1. This is an application for Anticipatory Bail.

2. The applicants are apprehending their arrest in Crime No. 703 of 2025 registered at Vartaknagar Police Station, Dist-Thane, for the offences punishable under Sections 316(2), 318(4), 336(2), 336(3), 338, 340(2) read with 3(5) of the Bhartiya Nyaya Sanhita (BNS) Act, 2023.

3. The applicants are the legal heirs of one Anil Dudhane,

who died on 24.06.2024. According to the first informant, said Anil Dudhane by registered agreement for sale dated 29.05.2024, had agreed to sell to him five shop premises owned by him in Tiara Commercial Complex at Mazhiwada, Thane, for the consideration of Rs.4.90 Crores. According to the first informant, till the execution of agreement for sale he paid him Rs.3.25 Crore. It is alleged that after the death of Anil Dudhane, he contacted the applicants and told them to complete the transaction by accepting remaining consideration. It is alleged that the applicants at that time told him that the said shop premises are mortgaged with the Axis Bank against the loan availed by Anil Dudhane. On the request of the applicants, he paid them further amount of Rs. 1,36.02,000/- to enable them to clear the loan. After paying the said amount, applicants showed him one letter that they have cleared the loan and one demand draft. It is alleged that both the documents were forged.

4. The learned counsel for the applicants submits that first informant himself had prepared the said forged documents to convert civil dispute into the criminal case. It is submitted that the first informant was aware that the shop premises were mortgaged

with the Axis bank. The learned counsel for the applicants submits that the applicants are ready to refund Rs.1.36,02,000/- subject to the first informant executing cancellation of conveyance deed.

5. On the other hand, the learned APP for the respondent-State and the learned counsel for the respondent-first informant submit that the applicants are involved in the serious crime of forgery. The learned APP submits that the applicants were called for the purpose of investigation. It is submitted that they handed over the forged documents to the Investigation Officer also.

6. The fact that the first informant had paid about Rs.4.62 Crore is not in dispute. At this stage, I am not inclined to accept the submission that the forged documents were prepared by the first informant himself, as, according to the Investigation Officer, the applicants submitted the forged documents to him when they were called for the purpose of investigation. Considering the overall facts and circumstances of the case, I am not inclined to release the applicants on anticipatory bail. The application is rejected.

[N.R.BORKAR, J.]

Pramod S.Lakare