



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (BA) NO.193 OF 2025

(Jamila w/o Mehamood Pathan Vs. The State of Maharashtra thr. PSO PS Gadge
Nagar, Dist. Amravati (City))

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. S. B. Gandhe, Advocate for Applicant.
Ms. M. A. Barabde, APP for Non-Applicant/State.

CORAM: URMILA JOSHI PHALKE, J.

DATE: 9th APRIL, 2025.

1. Heard.
2. The applicant came to be arrested on 22.06.2024 in connection with Crime No.377/2024 registered with Police Station Gadge Nagar, District Amravati for the offences punishable under Sections 419, 420, 465, 467, 468, 471 and 120-B read with Section 34 of the Indian Penal Code and Sections 82 and 83 of the Registration Act.
3. The allegation against the present applicant is on the basis of report lodged by Pramod Govardhan Sardar on an allegation that he was intending to purchase a plot and therefore, he got acquaintance with Sawapnil Sahebrao Mahalle, who is working as a property broker, he shown him Survey No.18/1, Plot No.21 admeasuring 234 square meters and the consideration amount was fixed. Accordingly, the sale-deed was executed in his favour by obtaining consideration amount. However, subsequently he

came to know that a person who was represented to the owner of the property was a fake person and she represented herself as an owner of the property by showing the Aadhar card and other relevant documents. Thus, he is duped by the present applicant and the other co-accused.

4. The learned counsel for the applicant submitted that as far as the allegations are concerned which is not substantiated by any material now investigation is already completed, charge-sheet is already filed the entire investigation revolves around the documents and further incarceration of the applicant is not required.

5. Learned APP strongly opposed for the same and submitted that considering that present applicant represented herself as original owner and by way of impersonation she has duped the informant. Thus, considering the gravity of the offence, the application deserves to be rejected.

6. After hearing both the sides and on perusal of the investigation papers it reveals that the present applicant has represented herself as an owner of the property by concealing her identity and showing the forged documents to the informant as well as to the registering authority, by accepting the consideration amount the property was shown to be sold to the informant by impersonation. However, now investigation is already completed, charge-sheet is already filed. The trial will take its own time for its final disposal. In view of that, the application deserves to be allowed.

Accordingly, I proceed to pass following order:

ORDER

- [a] The criminal application is allowed.
- [b] The applicant – Jamila w/o Mehamood Pathan, shall be released on bail in connection with Crime No.377/2024 registered at Police Station Gadge Nagar, District Amravati for the offences punishable under Sections 419, 420, 465, 467, 468, 471 and 120-B read with Section 34 of the Indian Penal Code and Section 82 and 83 of the Registration Act, on executing P.R. bond of Rs.25,000/- with one solvent surety of the like amount.
- [c] The applicant shall attend the concerned police station twice in a month on 1st and 15th of every month and the Police Station Officer shall record her presence.
- [d] The applicant shall furnish her detail address along with the address proof and also attend the Police Station Bhandara once in a week i.e. on every Sunday between 10:00 a.m. to 01:00 p.m. and the Police Station Officer shall record her presence.

[e] The applicant shall attend the proceedings before the trial court without seeking any exemption unless there are exceptional circumstances.

[f] The applicant shall not induce, threat or promise any witness who are acquainted with the facts of the case.

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)