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

CRIMINAL APPLICATION (ABA) NO.171 OF 2025
(Arpit s/o Ganpat Dhande Vs. State of Maharashtra)

AND

CRIMINAL APPLICATION (ABA) NO.166 OF 2025
(Ganpat s/o Latari Dhande Vs. State of Maharashtra)

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's order	Court's or Judge's Order

---

Mr. R.R. Vyas, Advocate for the applicants.
Mr. V.A. Thakare, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- MARCH 20, 2025.

Apprehending the arrest at the hands of police in connection with Crime No.26/2025 registered with Police Station Gadchandur, District Chandrapur for the offences punishable under Sections 420, 465, 467, 468, 471 and 511 read with Section 34 of the Indian Penal Code, the applicants approached this Court for grant of pre-arrest bail.

2. The applicants are son and father by relations. The crime is registered on the basis of report lodged by Santosh Purushottam Ghugul, who is serving as a Branch Manager at Rangnath Swami Co-operative Credit Society, Wani. As per the allegation levelled by him against the present applicants and other co-accused that they have prepared forged and fabricated documents in the name of Ramrao Datarkar, who is accused No.2 and maternal

Uncle of applicant - Arpit and also prepared forged documents in the name of accused No.7 – Suresh Hansraj Tiple and thereafter by playing fraud, by joining hands with the co-accused Bhupendra Chandrapal Hanumante, who was the then Branch Manager of the said society obtained the loan of Rs.20.00 lakhs and used the said documents for mortgaging the property and creating the charge on the said properties. On enquiry it found that the documents submitted by the borrower are forged one, even the search reports which are shown to be prepared by the Advocates are also revealed to be forged one. On the basis of the said report, police have registered the crime against the present applicants.

3. Learned Counsel for the applicants submitted that as far as the applicant – Arpit is concerned who has merely signed on the document without knowing that the documents are forged one, only on the say of his maternal uncle. He submitted that as far as the custodial interrogation of the present applicant is concerned, which is not required as entire investigation revolves around the documentary evidence, which are already in possession of the investigating agency. He submitted that the applicant Arpit is a young boy, whereas the other applicant, who is his father, is old aged person. Considering the fact that they merely signed on the said loan form, no active involvement is there, and therefore, they be protected by granting anticipatory bail.

4. Learned APP strongly opposed the application and submitted that the similar type of the offence is registered against the present applicants vide Crime No.57/2025. He invited my attention towards the investigation papers and submitted that entire documents, including the 7/12 extracts, search reports including the salary certificates shown to be issued by the Western Coalfields Ltd. (WCL) and the Income Tax payers are prepared in the name of co-accused and the same are used for mortgaging the said property as a security to obtain the loan. Thus, the public fund is misused by the present applicants and the manner in which the said offence is committed is to be ascertained, and therefore, the custodial interrogation of the present applicants is required.

5. I have heard learned Counsel for both the parties and on perusal of the investigation papers it reveals that during investigation it revealed to the investigating agency that for obtaining the loan some documents are produced by the co-accused and during enquiry, it revealed that by using the stamps and seals of the Talathi, the documents are prepared even the letter pad of the Advocates are also prepared to show that they have conducted a search and search report is filed by them. The statements of the various witnesses discloses the involvement of the present applicants in the alleged offence. Admittedly, the said documents are used in

obtaining the loan. The loan is sanctioned to the co-accused and the present applicants. Admittedly, the public fund is used for sanctioning the loan and that loan is obtained on the basis of the forged documents. Thus, the public money is misused by the present applicants. The involvement of the present applicants is revealed from the investigation papers.

6. Coming to the use of discretion in favour of the present applicants is concerned, the considerations for grant of anticipatory bail are different than considerations for grant of bail under Section 483 of the Bharatiya Nyaya Sanhita, 2023. The involvement of the present applicants is in a serious offence that they have obtained the loan on the basis of the forged documents, and therefore, the manner in which the documents are prepared is to be ascertained by investigating agency. The investigation is at initial stage. The custodial interrogation of the present applicants is required to ascertain the manner in which the alleged crime is committed. Considering the *prima facie* material against the present applicants, at this stage, no case is made out for grant of anticipatory bail. In view of that, both the applications deserve to be rejected.

7. Hence, both the applications are rejected accordingly.

(URMILA JOSHI-PHALKE, J.)

**Divya*