



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

CRIMINAL APPLICATION (BA) NO.678 OF 2025

(Iman s/o Abdul Rahim Khan 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. G.S. Gour, Advocate for the applicant.
Ms S.S. Dhote, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.

DATED :- AUGUST 11, 2025

By this application, the applicant is seeking bail as he came to be arrested on 27/12/2024 in connection with Crime No.125/2024 registered with Police Station Bajaj Nagar, Nagpur, District Nagpur for the offences punishable under Sections 406, 420, 468 and 471 of the Indian Penal Code.

2. The crime is registered on the basis of report lodged by Vinit Dilip Uke serving as Regional Head (Sale) in a ICIC Bank of last 8 years. As per the allegation in the FIR, in February 2023 the present applicant applied for home loan to purchase the plot and to raise the construction thereon. After scrutiny of the said application and documents annexed therewith, the loan of Rs.35,00,000/- was sanctioned by the bank to the applicant and it was disbursed. In May 2023, the original owner of the said plot namely Nisha Rajkumar Jaju with her husband approached to the bank and made an inquiry about the plot Nos.89 and 90, then it revealed that the applicant obtained the loan against the said properties by

supplying the sale deed which is forged one. The said original owner also informed the bank that she has not executed any sale-deed of the said properties in favour of the accused. On the basis of the said information, the bank has initiated the inquiry wherein it was revealed that the applicant supplied the false and fabricated documents i.e. the sale-deed and other documents and thereby got sanctioned loan. The informant reported to the said incident to the police and on the basis of the said report, police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that as far as the criminal antecedents are concerned present applicant is already protected by this Court in other crime. As far as the present crime is concerned with baseless and false allegations, he is implicated in the alleged offence. In fact, he has purchased the said property. As far as the aspect of the forgery is concerned there is no material collected during the investigation by the Investigating Officer. Now, investigation is already completed, charge-sheet is already filed, further incarceration of the applicant is not required. In view of that, he be released on bail.

4. Learned APP strongly opposed the said application and submitted that similar type of the offences are registered against the present applicant which are five in numbers, and therefore, considering the *modus operandi* of the applicant, the provisions of the MCOC Act

are applied against him in Crime No.706/2023. The original owner has also filed complaint against the present applicant alleging forgery against the present applicant. She submitted that present applicant has not only forged the sale-deed but he has obtained the loan which is a public money on the basis of the forged documents. If he is released on bail there is apprehension of the commission of the similar type of the offences. In view of that, the application deserves to be rejected.

5. On hearing both the sides and on perusal of the investigation papers it reveals that the statement of the original owner of the plot was recorded. She specifically stated that she has not executed any sale-deed in favour of the present applicant. Thus, it is apparent that the present applicant has prepared the forged sale-deed and on the basis of the said sale deed, the loan of Rs.35,00,000/- is obtained by concealing the fact from the bank and the public money was used to sanction the loan to the present applicant. It further reveals that with the similar *modus operandi* the present applicant is involved in the other offences also. Considering the statements of the witnesses and the involvement on the basis of the investigation papers, the application of the present applicant deserves to be rejected.

6. Hence, the application is hereby rejected.

(URMILA JOSHI-PHALKE, J.)