



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

CRIMINAL APPLICATION (ABA) NO.585/2025

Shaikh Mohammad Raees Moahammad Saeed Vs. State of Maharashtra

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

Court's or Judge's orders

Mr. K. R. Giripunje, Advocate h/f. Mr. S. V. Sirpurkar, Advocate for the Applicant.

Ms T. H. Udeshi, A.P.P. for the Non-applicant/State.

Mr. H. V. Dhage, Advocate Assist to Prosecution.

CORAM : MRS.VRUSHALI V. JOSHI,J.

DATED : 02/12/2025.

. Heard.

2. By this application, the applicant is seeking pre-arrest bail in the event of his arrest, in connection with Crime No. 425/2023 registered with Police Station Khamgaon City, District Buldhana for the offences punishable under Sections 463, 464, 465, 466, 468, 471, 474 read with Section 34 of the Indian Penal Code, 1860.

3. The applicant is apprehending arrest at the hands of police, as crime is registered on the basis of directions issued by the Judicial Magistrate First Class, Khamgaon, under the above sections. As per the allegations, Gut No. 223, admeasuring 2.42R situated at Mouza Kanjara, Tq. Khamgaon, District Buldhana, was owned by Kisan Balwar. The said Kisan Balwar executed Will-Deed on 19.08.2014 in favour of the first informant—Gopal Vhalabdhhas Khandelwal. In view of the said sale-deed, the informant became the owner of the said property. Wherein it is alleged that the co-accused Mohd. Khurshid Mohd. Kasam and Mohd. Kasab and Mohd. Rais Mohd. Saeed executed the Power of Attorney in favour of the accused No.3 – Abdul Rahman Abdul Sattar and

accused Nos. 5 and 6 stood as witnesses on the said Power of Attorney, and the accused Nos. 1 and 2 executed sale-deed in favour of the accused No.4 of the said property. Accused Nos. 6 and 7 are the witnesses of the said sale-deed. The informant obtained the said document, and it revealed to him that all the accused, in connivance with each other, executed forged documents and used them as genuine ones.

4. The learned Counsel for the applicant has stated that the crime is registered out of private complaint filed by the complainant. The allegations made against this applicant is that he has executed the Power of Attorney in favour of accused No.3. He was protected by this Court. As the applicant has stated that the application for quashing of the First Information Report is pending before this Court and there is detailed order passed by this Court not to file charge-sheet, prayed to protect the applicant by granting anticipatory bail.

5. The learned Counsel for the complainant has opposed the application stating that he has forged the documents and false death certificate is created by this applicant. The custodial interrogation is necessary.

6. The learned A.P.P. has opposed the application stating that the allegations about forged documents are against this applicant. Hence, prayed to reject the application.

7. Heard the learned Counsel for the respective parties.

8. As the crime is registered out of private complaint and there is delay in lodging the First Information Report, considering the facts that the

application is pending before this Court for quashing of the First Information Report and the order is there not to file charge-sheet, the interim protection granted on 06.08.2025 is confirmed on the same terms and conditions.

9. The application stands disposed of.

(MRS. VRUSHALI V. JOSHI, J.)

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