



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

CRIMINAL APPLICATION (ABA) NO. 333 OF 2025

(Nitin S/o Narayan Nikhade

Vs.

State of Maharashtra, Thr.P.S.O. Police Station Hudkeshwar, Tah-Dist.
Nagpur.)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. P.R. Bhure, Advocate for the Applicant.

Mr. M.J. Khan, APP for the Non-applicant/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 23rd JUNE, 2025

1. Apprehending the arrest at the hands of Police in connection with Crime No.99/2025 registered with Police Station Hudkeshwar, Nagpur, District Nagpur for the offences punishable under Sections 3(5), 318(4), 335, 336(2), 336(3) and 340(2) of the Bharatiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of anticipatory bail.

2. Learned Counsel for the applicant submitted that the applicant is arraigned as an accused, as the other co-accused has executed the sale-deed in favour of the Informant when he was not the owner of the said property and obtained the consideration amount. As far as the allegation against the present Applicant is only to the extent that he was present at the time of the registration of the said sale-deed. Thus, considering the same, the custodial

interrogation of the present Applicant is not required. He has already attended the Police Station and cooperated with the investigating agency. In view of that, he be released on anticipatory bail. He further submitted that, the other co-accused are already released on anticipatory bail by the Sessions Court.

3. Learned APP strongly opposed the application and submitted that present Applicant and the other co-accused have prepared the forged documents like Aadhar Card and Pan Card in the name of the original owner and by using the same and by impersonation the sale deed was executed in favour of the Victim. The present Applicant has also received the pecuniary gain, and therefore, his custodial interrogation is required to ascertain in what manner these documents are prepared by them while committing the offence.

4. After hearing both the sides and on perusal of the investigation papers, the statement of the Informant which shows that the involvement of the present Applicant reveals, he also received the pecuniary gain i.e. Rs. 9 Lakhs and the other co-accused have also received the consideration amount. It also reveals from the investigation papers that forged documents i.e. Aadhar Card and Pan Card are prepared in the name of the original owner and by using the same the sale deed was executed. Thus, considering the *prima facie* material, the custodial interrogation of the present Applicant is required. In view of that, the Application deserves to be rejected. Accordingly, I proceed to pass following order:

ORDER

i. The Application is **rejected**.

5. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)

SD. Bhimte