



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

CRIMINAL APPLICATION (ABA) NO.513 OF 2025

Devidas s/o Ramrao Deshmukh
Vs.

State of Maharashtra, through Police Station Officer, Police Station Ajni,
Nagpur City District Nagpur

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

Court's or Judge's orders

Mr. Rajnish Vyas, Counsel for the applicant.
Ms. H. N. Prabhu, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 14/07/2025

1. Apprehending the arrest at the hands of police in connection with Crime No.265/2022 registered with Police Station Ajni, Nagpur, District Nagpur for the offence punishable under Sections 420, 468, 471 read with Section 34 of the Indian Penal Code.

2. Heard learned Counsel for the applicant, who submitted that the crime is registered on the basis of report lodged by the informant Pravin Dnyaneshwar Dahake on an allegation that the property bearing Khasra No.74/2, P.H.No.39, sheet No.72, City Survey No.4666 admeasuring 4 acres situated at Babulkheda was originally owned by Trivedi family. That 2 acres of land was declared surplus in ULC Case No.750/76 as per order, and

accordingly, the acres were reduced. The surplus land which was acquired by the government was later returned to the owner for implementation of scheme for construction of houses for the economically backward people. The Trivedi family executed a Power of Attorney in favour of one Mr. Baban Shende of M/s Ekmat Construction Company Private Limited for implementation of the said scheme. An agreement for development and sale was entered between the Trivedi family and M/s Om Builders and Developers and M/s Ekmat Construction Company Private Limited for the purpose of implementation of the said scheme. The scheme could not be implemented since there was reservation on the land. The competent authority its vide order granted permission to implement the scheme and also sanctioned the Layout plan. Subsequently, the reservation was cancelled and therefore, the applicant submitted an application for mutation of his name on the revenue record. The name of present applicant was recorded by the Tahsildar on 7/12 extract vide Mutation Entry No.2547. Thus, so far as Khasra No.74/2 which was retained by the Trivedi family, the land was later sold to M/s Ekmat Construction Company Private Limited by the Trivedi family, who in turn formed Ekmat Cooperative Society and sold plots. However, while selling plots, Mr. Shende did not execute the agreement of sale. One such purchaser was Mr. Waman Bomble and said Mr. Bomble sold the plot to Mr. Pravin Dahake, by

forging the entries on the revenue record. As far as the present applicant is concerned, it is alleged that he has signed on the sale deed as a witness. He submitted that even accepting the allegation as it is, the nature of the allegation is of a civil nature. The immediate custodial interrogation is not required. In view of that, he be protected by granting ad-interim protection.

3. Learned APP strongly opposed for the same and submitted that considering the fact that the applicant has signed the said sale deed which was allegedly forged. His involvement in the conspiracy was revealed. In view of that, the prayer for grant of ad-interim anticipatory bail deserves to be rejected.

4. On hearing both sides and on perusal of the recitals of the FIR and other record, which is filed apparently it appears that there was a civil dispute pending between the parties and out that this FIR came to be lodged. The immediate custodial interrogation of the present applicant is not required. In view of that, the applicant can be protected by granting ad-interim anticipatory bail. Accordingly, I proceed to pass following order:

ORDER

(i) In the event of arrest, in connection with Crime No.265/2022 registered with Police Station Ajni, Nagpur, District Nagpur for the offence punishable under Sections 420, 468 and 471 read with Section 34 of the Indian Penal

Code, the applicant **Devidas s/o Ramrao Deshmukh** shall be released on ad-interim anticipatory bail, on executing PR Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(ii) The applicant shall attend the concerned Police Station one in a week on Monday between 10.00 a.m. to 1.00 p.m. and shall cooperate with the investigating agency.

(iii) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

5. Learned APP waives notice for the State and seeks time to file reply.

6. Stand over after **two weeks**.

(URMILA JOSHI-PHALKE, J.)