



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

CRIMINAL APPLICATION (ABA) NO. 561 OF 2025

(Nikhil Mahadeorao Dudhe

Vs.

State of Maharashtra, Thr. PSO Darwha, District Yavatmal)

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. Rahul Tajne, Advocate for the Applicant.
Mr. N.R. Rode, APP for the Non-applicant/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 14th AUGUST, 2025

1. Apprehending the arrest at the hands of Police in connection with Crime No. 496/2025 registered at Police Station Darwha, District Yavatmal for the offence punishable under Sections 318(4), 336(2), 336(3), 338, 340(2) of the Bharatiya Nyaya Sanhita, 2023, the Applicant approached this Court for grant of pre-arrest bail.

2. Heard learned Counsel for the Applicant, who submitted that the Applicant is a registered panel Engineer of the Municipal Council, is alleged to have submitted fake orders of sub-division of plots owned by Shri Vasantrao Dange, Shri Ravindra Thakre, and Himmatrao Thakre, thereby committing an offence punishable under the aforementioned provisions. He submitted that, as far as the creation of the fake document is concerned, the Applicant does not consent with whatever is claimed to him, he has only

uploaded to him. No other allegations attributed to him. He submitted that even accepting the statement of the witness Ravindra Thakre then also it is that the document was only forwarded. He further submitted that during interrogation the present Applicant was thoroughly interrogated and he has cooperated with the Investigating Agency. The some amount which was received by the present Applicant is already returned back to the said witness by the present Applicant and the screen shots of the same are also filed on record. Thus, as far as the custodial interrogation is concerned, which is not required. In view of that, he be protected by granting anticipatory bail.

3. Learned APP strongly opposed the said Application and invited my attention towards the statements of the relevant witnesses which shows that the witness Ravindra Thakre approached to the present Applicant for transferring his property for the sub-division purpose. Accordingly, he has also paid some amount to him. Thereafter the order was forwarded which appears to be forged one, and therefore, the Application deserves to be rejected.

4. On hearing both sides and on perusal of the investigation papers, as far as the allegation is concerned the involvement of the present Applicant reveals from the investigation but considering that he has already cooperated with the investigating agency, attended the Police Station and the entire documents are already seized by the Investigating Agency, his physical custody is not required. In view of that, the interim protection granted to the present Applicant

deserves to be confirmed. Accordingly, I proceed to pass following order:

ORDER

- i. The Application is **allowed**.
 - ii. The *ad interim* protection granted to the Applicant by order dated 29.07.2025, is hereby confirmed on the condition that, he shall attend the concerned Police Station once in a week i.e. on every Sunday between 10.00 a.m. to 01.00 p.m. till filing of the charge-sheet and shall cooperate with the investigating agency.
 - iii. The Applicant shall attend the proceedings before the Trial Court without seeking any exemption unless there are exceptional circumstances.
 - iv. The Applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.
5. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)