



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 2029 OF 2025

SANDIPAN KISAN TUPARE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Shashikant E. Shekade
APP for Respondents : Mr. S. D. Ghayal

...
WITH
BAIL APPLICATION NO. 1844 OF 2025

VAIBHAV VASANTRAO PARDHE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. S. R. Andhale
APP for Respondents : Mr. S. D. Ghayal

...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 14-01-2026

PER COURT:-

1. The applicants seek regular bail in connection with Crime No.0035 of 2025 dated 16.01.2025 registered with Police Station Shrigonda, District Ahilyanagar, for the offences under Sections 406, 417, 420, 465, 467, 468, 471, 423, 120B of the Indian Penal Code. In the above crime, applicant Sandipan is arrested on 03.04.2025 and applicant Vaibhav is arrested on 31.01.2025.

2. The case of the prosecution is that the informant currently serves as the President of the Conference of Churches of Christ in Western India (institution), a position held since 22.12.2024. The informant became aware that a parcel of the institution's land located in Shrigonda had been sold without proper authorization or knowledge. Verification through the relevant sale deed confirmed the fraudulent nature of the transaction. It was discovered that on 12.09.2023, one Deepak Gaikwad, identified as a Moderator, allegedly submitted an application to transfer the institution's land to the applicant using a bogus sale deed and fraudulent supporting documents.

3. Further, an individual, Satish Danial, along with applicant Vaibhav, falsely represented himself as an authentic employee of the institution, is accused of illegally participating in the transfer proceedings. Satish allegedly collaborated with revenue officials to assist the applicant and other co-accused parties. Critically, it is alleged that no formal hearing was conducted before the Tahsildar, and due procedure was not followed, resulting in the illegal transfer of institutional land in favour of the applicant Sandipan's name. Consequently, lodged the first information report.

4. Mr. S. E. Shekade, learned counsel for the applicant - Sandipan the applicant, Sandipan, has been falsely implicated in this crime. In fact, the applicant is a victim of circumstances who

was deceived for a substantial sum of money. The FIR is fabricated, based merely on suspicion, and appears designed to convert a civil liability into a criminal matter. The applicant had no role in the alleged fraud, has been made a scapegoat, and has suffered significant financial loss and mental agony.

5. It is further submitted that because government authorities verified the land transfer while it was being registered in the institution's name, the applicant had no reason to question the genuineness of the property title or suspect any fraud. The sequence of events the civil case (Special Civil Case No. 49 of 2024) being filed on 26.11.2024, and the present FIR lodged later on 16.01.2025 suggests the informant used the criminal complaint to pressure the applicant and co-accused.

6. Mr. S. R. Andhale, learned counsel for the applicant, Vaibhav, submits that a *prima facie* case is not made out, against the applicant. He has been falsely and maliciously implicated due to political rivalry over the organization's Secretary position. There is no cogent evidence of his involvement in the alleged fraud or document forgery; the chargesheet is silent on these aspects. The pending civil dispute, evidenced by the civil suit filed on 26.11.2024 and subsequently, the FIR has been given a criminal colour purely to harass the applicant. Except issuing paper publication, ensuring that the land of the trust is subjected to any

transfer, there is no material on record as against the applicant - Vaibhav. The applicant being in custody since 31.01.2025. Hence, prayed to allow the applications.

7. Learned A.P.P. has opposed the applications and submitted that applicant Sandipan has committed forgery and fabricated false documents. The applicants have active role in the alleged criminal conspiracy. Considering the nature and gravity of the offence, the applicants may not be enlarged on bail. Hence, prayed to reject the applications.

8. Having heard the respective counsel from both the sides and upon perusal of the material on record, including the charge sheet indicates that the applicant Vaibhav along with co-accused Satish had allegedly made a false representation before the Divisional Officer while transferring the land of the society.

9. The record further indicates that except the association with co-accused Satish, no other role is attributed to the applicant Vaibhav. Moreover, co-accused Satish is released on anticipatory bail by the Sessions Court, Shrigonda. Since, applicant Vaibhav is situated on similar footing as that of Satish coupled with the fact that no other incriminating material is discovered against him, is consequently entitled for parity.

10. Equally, the statement of the witness, Advocate Raman

Sharma indicates that applicant Sandipan had initially approached the Advocate expressing his interest to purchase the property in dispute. At that time, the Advocate had suggested Sandipan that since the property is in the name of Conference of Churches of Christ in Western India, could not be transferred to him. Subsequently, in November 2024, the applicant re-approached the Advocate in relation to the same property. However, this time the property was in the name of the Moderator of the Indian Canadian Presbyterian Mission, represented by co-accused Dipak Gaikwad. Accordingly, all the requisite documents and witnesses were provided by Sandipan and Dipak, on the basis of which disputed sale was effected.

11. Therefore, there is, *prima facie*, complicity of the applicant Satish in the alleged crime. The relation with co-accused Dipak and the manner in which the disputed sale is carried out, sufficiently establishes the involvement of applicant Sandipan.

12. In view of the aforesaid circumstances, the conduct of the applicant Sandipan, *prima facie*, indicates that he was conscious about the title of the property and has intentionally tried to circumvent the due procedure to receive financial benefits. *Prima facie*, applicant Sandipan, along with the co-accused, shared a common intent and played an active role in the alleged crime.

13. Moreover, the perusal of the alleged sale deed executed by the applicant indicates that only initial amount of Rs.3 Lakh is paid by the applicant as against the total consideration of Rs.1 Crore 38 Lakhs, ensuring execution of registered sale deed for his personal gain and, subsequently, causing loss to the trust. As such, has acted in connivance to co-accused deceptively.

14. Considering the gravity and the serious nature of the offence, the request of the applicant Sandipan, to be enlarged on bail, does not warrant any consideration; therefore, application of applicant Sandipan deserves to be rejected.

15. Hence, the following order;

ORDER

- (i) Bail Application No.2029 of 2025 is rejected.
- (ii) Bail Application No.1844 of 2025 is allowed.
- (iii) Applicant, Vaibhav Vasantrao Pardhe, be released on bail, upon furnishing P.R. bond in the sum of Rs.50,000/- (Rs.Fifty Thousand), with one or two local solvent sureties, in the like amount, in connection with Crime No.0035 of 2025 dated 16.01.2025 registered with Police Station Shrigonda, District Ahilyanagar, for the offences punishable under Sections 406, 417, 420, 465, 467, 468, 471, 423, 120B of the Indian Penal Code, on the following conditions :-

- (a) The applicant shall not pressurize the prosecution

witnesses and tamper with the prosecution evidence, in any manner.

- (b) The applicant shall attend the trial on each and every date unless exempted by the trial Court and shall not leave the area of jurisdiction of the concerned Police Station till conclusion of the trial.
 - (c) The applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers of two of the near relatives.
 - (d) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to move this Court seeking cancellation of bail.
- (iv) Needless to state that the observations rendered herein are to the extent of this application and the trial Court shall not be influenced by the same.

[SACHIN S. DESHMUKH]
JUDGE