



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 407 OF 2025

Sambhaji Jaysingh Kadam

VERSUS

The State Of Maharashtra And Another

...

- Mr. Sachin Subhash Panale, Advocate for Applicant
- Mr. N. S. Tekale, APP for Respondents-State

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CORAM : MEHROZ K. PATHAN, J.

DATED : 04.02.2026

PER COURT :

1. Heard learned counsel for the applicant and learned APP for the respondent-State.
2. The applicant has approached this Court apprehending arrest in connection with FIR No. 27 of 2025 dated 10.01.2025, registered with Shrigonda Police Station, District Ahilyanagar, for the offences punishable under Sections 419, 420, 467, 468 and 471 read with Section 34 of the Indian Penal Code.
3. This Court, by order dated 26.03.2025, granted interim protection to the present applicant on the condition that he shall cooperate with the investigation. Learned counsel for the applicant submits that the allegations pertain to cheating by impersonation in

respect of land bearing Gut No. 214, admeasuring 2 Hectares 49 Ares, situated at village Chikhali, Taluka Shrigonda, allegedly owned by the complainant Popat Sonawane. The allegation relates to execution of a sale deed in the year 2001 by impersonating the complainant.

4. It is submitted that the FIR has been lodged on 10.01.2025, after a delay of about 21 years from the date of execution of the alleged sale deed. The principal allegation of impersonation is against co-accused Baliram Shankarrao Kakade (accused No. 9), who has already been protected by this Court by order dated 03.10.2025 passed in Anticipatory Bail Application No. 709 of 2025. The present applicant was merely a witness to one of the alleged sale deeds as well as the alleged agreement to sell dated 02.07.1999, along with another witness Gorakh Zhende (accused No. 3). It is submitted that the applicant stands on a better footing than the co-accused who has already been granted anticipatory bail and that he has cooperated with the investigation. Hence, confirmation of the interim order is sought.

5. Per contra, learned APP strongly opposes the application, contending that serious offences of cheating by impersonation are made out. It is submitted that the applicant, though acting as a witness, had identified the person executing the sale deed as the

complainant, thereby facilitating the impersonation committed by co-accused Baliram Kakade. Therefore, the applicant's role is material and custodial interrogation is necessary. Hence, it is submitted that this is not a fit case for grant of anticipatory bail. Hence, the application may be rejected.

6. I have perused the order dated 03.10.2025 passed by this Court in Anticipatory Bail Application No. 709 of 2025, whereby co-accused Baliram Shankarrao Kakade, against whom the main allegation of impersonation is levelled, has been granted anticipatory bail. The present applicant, who is stated to be only a witness to the alleged transaction of the year 2001, stands on a better footing. The applicant was protected vide interim order since 26.03.2025 and has cooperated with the investigation. In these circumstances, I am inclined to confirm the interim order dated 26.03.2025.

ORDER

- i. The Anticipatory Bail Application is allowed.
- ii. The interim order dated 26.03.2025 is hereby confirmed, subject to the following further conditions:
 - A) The applicants shall attend the concerned police station and report to the Investigating Officer as and when called by the Investigating Officer, till filing of the charge-sheet as against the present applicant, if any.

- B) The Applicant shall also cooperate with the investigation.
- C) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- D) The applicant shall furnish copies of his Aadhaar Card and PAN Card to the Investigating Officer along with the addresses and mobile numbers of two nearest relatives.

7. Needless to state that a single violation of any of the aforesaid conditions shall entitle the prosecution to seek cancellation of the anticipatory bail granted herein.

8. The observations made herein are prima facie and shall not influence the Trial Court while deciding the case on its own merits.

9. In view of the above, the Anticipatory Bail Application stands disposed of.

(MEHROZ K. PATHAN, J.)