IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 2040 OF 2025

SANJAY ALIAS SUNIJOY VISHWANATH MULE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER
WITH
CRIMINAL APPLICATION NO. 4374 OF 2025

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Advocate for Applicant : Mr. Ghanekar Nilesh S.
APP for Respondents/State : Mr. D. J. Patil

Advocate for assisting the prosecution : Mrs. Kale Usha P.

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CORAM : MEHROZ K. PATHAN, J.
DATE : 25th MARCH 2026

PER COURT :

1. Heard the learned Counsel for the Applicant, the learned Assisting Counsel and the learned APP for the Respondents/State.

2. The Applicant has approached this Court, seeking anticipatory bail application in connection with FIR No. 395 of 2025 dated 07.10.2025 registered with Mukundwadi Police Station, District Aurangabad for the offences punishable under Sections 406, 420, 464, 465, 467, 468, 469, 471 of the Bharatiya Nyaya Sanhita, 2023.

3. The case of the prosecution is that the informant, Ramesh Arjunrao Mule, is the uncle of the applicant/accused. It is alleged in

the F.I.R. that on 16/09/2014, the informant purchased a Fortuner car bearing registration number MH-14-EQ-1717, which he has been using to date. The car was registered at the R.T.O., Pimpri Chinchwad, and the loan for the vehicle was obtained from the Bank of Maharashtra, Mahalunge branch, Pune. The accused was residing in Pune at that time. Although the car loan was repaid on 17/11/2021, the bank certificate and the R.C. book were not collected. It is further alleged that on 20/08/2024, when the informant went to renew the insurance of his car, he discovered that the vehicle was standing in the name of the accused. Consequently, he submitted an application to the Mukundwadi Police Station. The prosecution claims that in 2022, the accused conspired with officials of the Bank of Maharashtra, Mahalunge branch, and obtained the original R.C. book along with a no-dues certificate. He allegedly conspired with the R.T.O., Pimpri Chinchwad, forged the informant's signature on the transfer form, and transferred the vehicle into his own name. There are discrepancies in the documents submitted by the accused. He has misused two Aadhaar cards and two PAN cards. He has also changed his name through the Gazette. However, he continued to enter into transactions of sale and purchase of vehicles using his original name. He further sold land to the Nashik Municipal Corporation under his old name. The accused has registered various companies using two different names. He has evaded tax. Additionally, he misused the PAN card and Aadhaar card of the informant, which had been given to him for KYC purposes.

4. The learned Counsel for the Applicant submits that the Applicant is falsely implicated in the present crime. The Applicant is a guarantor to the loans taken by the complainant, including the vehicle loan, the credit loan, and the term loan. In all three loans obtained by the complainant, the Applicant stood as guarantor. Certain bank statements show that, as the complainant failed to deposit premium installments of the loans on time, the Applicant, being the guarantor, deposited certain loan amounts when the complainant defaulted in paying installments. The learned Counsel further submits that the complainant initially lodged a complaint at Mukundwadi Police Station on 28.01.2025. Pursuant to this complaint, notice was issued by the police authority to the Applicant to cooperate with the investigation. The Applicant attended the police station on 28.08.2025, and his statement was recorded on the same day. Even thereafter, the complainant insisted upon registration of the FIR, which finally came to be registered on 07.10.2025, despite the Applicant's cooperation. The allegations of misusing documents to transfer the vehicle in the Applicant's name are false and have been deliberately made to wreak vengeance against him. The complainant is the real uncle of the Applicant and earlier had good relations with him, which led to the Applicant standing as guarantor in several loan cases.

5. The Applicant was protected by an interim order passed by the learned Sessions Court vide order dated 20.10.2025 in Criminal B.A. No.2182/2025. Pursuant to such interim protection, the

Applicant again cooperated with the investigation and submitted relevant documents to the Investigating Officer. The bail application was ultimately rejected by the Sessions Court. The Applicant then approached this Court, which, vide order dated 19.11.2025, continued the interim protection subject to the condition of attending the police station and cooperating with the investigation. The Applicant has complied with these conditions and has cooperated fully. The investigation is almost complete. Hence, custodial interrogation of the Applicant may not be necessary, as the evidence to be collected by the Investigating Officer is documentary in nature. The handwriting and signature of the Applicant have already been taken. The grievance of the complainant regarding transfer of documents can be redressed, as the Applicant is ready to transfer back the vehicle documents in the complainant's name. Hence the Applicant who is not having any criminal antecedents and is ready to abide by any conditions that may be imposed by this Court and he may be released on anticipatory bail.

6. As against this, the learned APP, Mr. Gaikwad, as well as Mrs. Kale for assisting the prosecution, strongly oppose the application on the ground that the Applicant has committed fraud upon the complainant. The complainant had allowed the Applicant to use his documents on the trust that they would not be misused. However, the Applicant misused the complainant's documents and transferred the Fortuner vehicle into his own name without the complainant's consent. There are documents to show that the

Applicant forged the complainant’s signature on Form Nos. 29 and 30. Prima facie, the signatures do not match the original signature of the complainant. The Applicant, being in possession of those documents, misused them to transfer the said vehicle in his own name. It is further alleged that the Applicant is using two different names and has committed several other fraudulent acts, including obtaining loans under different names. It is suspected that he uses three different PAN cards in three different names, which may again be misused to cheat the other persons, if he released on bail. Thus the custodial interrogation of the Applicant is necessary. Hence, this is not a fit case to grant anticipatory bail, and the said application may therefore rejected.

. The learned Counsel assisting the prosecution, Mrs. Kale, further submits that the Applicant has misused the liberty granted to him and has instigated the women of the village to register a case under the Atrocities Act against him. It is submitted that if the Applicant is released on bail, he may again misuse such liberty and threaten the complainant, thereby causing prejudice to the prosecution case.

7. I have gone through the investigation papers made available by the learned APP, as well as the order dated 20.10.2025 passed by the learned Sessions Court granting interim protection to the Applicant, and the documents relied upon by the Counsel assisting the prosecution. A perusal of the investigation papers shows that, pursuant to the interim orders passed by the learned Sessions Court

and this Court vide order dated 19.11.2025, the Applicant has attended the police station and has cooperated with the investigation. The evidence is documentary in nature and has already been collected by the prosecution. The complainant has also provided certain documents to the Investigating Officer for comparison with the signatures alleged to have been forged by the Applicant. The specimen handwriting and signature of the Applicant have already been taken. Since the FIR itself states that the possession of the vehicle bearing No. MH-14 EQ 1717 is with the complainant, the vehicle shall remain in the name of the complainant. The grievance of the Investigating Officer that the Applicant has not yet transferred the vehicle in the name of the complainant can be addressed by imposing certain conditions upon the Applicant. Since the investigation is almost complete and the charge-sheet has been prepared and forwarded to the higher officer for scrutiny, I see no impediment in protecting the Applicant, as further custodial interrogation is not necessary. Hence the following order :

ORDER

(i) The application is allowed.

(ii) The interim order dated 19.11.2025 is hereby confirmed.

(iii) The Applicant is directed to attend Mukundwadi Police Station, District Aurangabad on 30th 31st March of 2026 and 1st, 7th, 13th, 14th and 15th April of 2026 between 11:00 am. to 01:00 pm. and thereafter as and when called by the Investigating Officer to conduct further investigation if any, till filing of the charge-sheet.

(**iv**) The Applicant shall cooperate with the investigation and, as undertaken by him, transfer the documents of the vehicle in the name of Complainant.

(**v**) The Applicant is directed not to tamper with the evidence and shall not threaten the complainant or the other witnesses.

(**vi**) The Applicant shall not instigate the villagers to lodge complaint against the Complainant.

(**vii**) The Applicant shall attend the trial on each and every date unless so exempted by the trial on emergency conditions.

(**viii**) The Applicant shall submit his Aadhar and PAN Cards to the Investigating Officer and detailed addresses and phone numbers of himself and two of the near relatives.

(**ix**) A single violation of the aforesaid conditions, would entitle the prosecution as well as the Assisting Counsel to seek cancellation of bail of the Applicant on that ground.

(**x**) With the aforesaid directions, the application is disposed of.

(**xi**) The application for assisting the prosecution is also disposed of.

MEHROZ K. PATHAN
JUDGE

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