

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 3429 OF 2024

TUKARAM KRISHNA PAWANE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Mr. Santosh Punalkar, i/b Mr. Laxman Kalel, Advocate for Applicant
Mr. A. S. Shalgaonkar, APP for Respondent/State
Ms. Snehal M. Sule, Advocate for Respondent No.2 (Appointed)

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 21st JANUARY, 2026

PER COURT :

1. Applicant apprehends arrest in C.R. No.0233/2024, registered with Dahiwadi Police Station, District Satara, for offences punishable under Sections 420, 465, 467, 468 and 471 r/w 34 of the Indian Penal Code.
2. Prosecution case in short is that informant is residing at Mumbai since many years as her husband was serving in R.B.I. at Mumbai. On 04/09/1974 she had purchased land admeasuring 4 Hectare 23 R out of Gut No.750 and 6 Hectare 86 R out of Gut No.860 situated at village Mhaswad, Taluka Man from Mahadu Rama Masal. Accordingly, her name was recorded in the record of rights and she was in possession of the said land. In the year 2016 her son Arun had been to the village Mhaswad. When he returned to

Mumbai he informed that the area from land Gut No.860 seems to be reduced as compared to the entries in record of rights. He collected 7/12 extracts and sale deed etc. and on verification informant learnt that sale deed in respect of 2 Hectare 27 R land out of Gat No.860 was executed on 04/09/2010 in favour of Chandrakant Someshwar Sakhare, Mahadeo Someshwar Sakhare and Dipak Vilas Tiwatane by her imposter i.e. another lady presented as informant before the concerned authority. Informant also learnt that one Nandkumar Someshwar Sakhare and Maruti Balu Pawar were stood as identifiers and the applicant and Sampat Bangar from Mhaswad stood as witnesses to the said sale deed. Informant perused the sale deed in question and got knowledge that photographs affixed on that sale deed were of a lady pretender. The voter ID card used for identification by that lady was not of her.

3. Heard learned advocate for applicant, learned APP for respondent/State and learned advocate for respondent No.2. Perused the record.

4. The only allegation against the applicant seems to be that he is witness to the alleged forged sale deed executed by accused Nos.1 and 2. The offence is allegedly committed on 04/09/2020, whereas FIR is lodged on 24/05/2024.

5. Learned advocate for applicant, on instructions, submits that charge-sheet is already filed in the present crime. Applicant was protected by order dated 17/12/2024 and he has co-operated in the investigation. In view of the above, custodial detention of the applicant is not warranted in the facts of the present case.

6. Hence, the application is allowed by confirming the interim protection granted to the applicant vide order dated 17/12/2024.

7. Fees of learned advocate appointed to represent respondent No.2 be quantified as per the scheduled and the same shall be paid by the Legal Aid as expeditiously as possible.

(NITIN B. SURYAWANSHI, J.)