

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.3698 OF 2025

WITH

BAIL APPLICATION NO.3402 OF 2025

Kashmira Sandip PawarApplicant

Vs.

The State Of MaharashtraRespondent

WITH

BAIL APPLICATION NO.3427 OF 2025

WITH

BAIL APPLICATION NO.3647 OF 2025

Ganesh Haribhau GaikwadApplicant

Vs.

The State Of MaharashtraRespondents

Mr. Sanjeev Kadam with Ms. Varsha Thorat, (through VC) and Mr. Aarya V. Ambulkar i/b Mr. Aditya Raktade, for the Applicant.

Mr. Ramnik Pawar i/b Mr. Rahul Gupta, for Applicant in BA-3402 of 2025.

Mr. Nitin B. Patil, APP, for the Respondent-State in BA-3698 of 2025.

Mr. Anand S. Shalgaonkar, APP, for the Respondent-State in BA-3402 of 2025.

Mr. Shriram S. Chaudhari, APP, for the Respondent-State in BA-3427 of 2025

Mr. Pankaj P. Deokar, APP, for the Respondent-State in BA-3647 of 2025

Mr. Arun Deokar, PI, LCB, Satara a/w Mr. Sachin Mhetre, Shahupuri Police Station, Kolhapur.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : 13th FEBRUARY 2026

Order:-

1. Two crimes are registered against these two accused persons, and therefore, the four Bail Applications have been filed. The Applicants Kashmira and Ganesh Gaikwad are friends. Two different FIRs have been registered against them in both the FIRs allegations against these Applicants are same, though the FIRs are lodged by two different complainants. FIR, bearing C.R. No.1059 of 2024, has been registered for the offences punishable under Sections 170, 420, 465, 467, 468, 469, 470, 471, 472, 473, and 120(B) of the Indian Penal Code, and under Section 66(c) of the Information Technology Act, against the Applicants. Another FIR, bearing C.R. No. 940 of 2024, has been registered for the same offences. Though the incidents are different, the allegations are same.

2. It is alleged that during the period from 11th December 2017 to 27th July 2023, both the accused misused one of the achievements of Kashmira Pawar and falsely projected that she was appointed as the National Advisor to the Hon'ble Prime Minister at the Prime Minister's Office, New Delhi. It is further alleged that she, along with the co-accused, forged certain documents and represented that she was in a position to procure high-value government tenders,

including tenders for supply of school uniforms in Maharashtra, food supply contracts in Kashmir, and supply of bedsheets and blankets to the Defence Ministry.

3. It is further alleged that on the basis of such representations, the Applicants formed various companies of investors and induced the complainant and other persons to invest money on the pretext of securing the said tenders. It is alleged that a huge amount of Rs. 14,49,50,163/- was invested by the complainant and other persons for obtaining the said tenders.

4. It is further stated that the complainant and others came to know through newspaper reports that both the Applicants had been arrested in other offenses and that they had been duped. Thereafter, they lodged the present complaint.

5. According to the learned counsel for the Applicants, the present case is nothing but one of double jeopardy, as an earlier crime had already been registered against the Applicants for the same offences and, subsequently, another FIR has been lodged for identical offences on the same set of allegations.

6. It is further submitted that the present Applicants had earlier

lodged a complaint against one Mr. Philip Bambhal and, in order to falsely implicate her, the said person has started lodging complaints against Kashmira Pawar and the co-accused. The learned counsel has placed on record details of various crimes registered between the parties and has contended that the Applicant, along with the co-accused, was already on bail in similar offenses. It is submitted that she has been falsely implicated and that her further custody is not necessary.

7. It is further submitted that no recovery has been effected from the Applicants and there is no material on record to show her direct involvement in the alleged offence. The allegation that forged documents of the Prime Minister's Office were used and that she projected herself as a Personal Advisor in a Ministry, thereby duping several persons by accepting money, is denied. It is pointed out that one of the persons associated with the Applicants has expired due to a heart attack i.e Mr. Vaydande against whom the allegation regarding acceptance of gold biscuits from the First Informant are made. There are no specific allegations against the present Applicants in respect of the said gold biscuits. It is also submitted that no amount has been deposited in the bank account of the

Applicants.

8. In these circumstances, it is contended that there is nothing on record to demonstrate the involvement of the Applicants in the alleged crime and, therefore, the Applicants be released on bail.

9. The learned APP opposed the Applications, submitting that the offences are serious in nature and involve an amount of Rs. 14,49,50,163/-. It is contended that the Applicants have forged documents purportedly issued from the Office of the Prime Minister.

10. It is submitted that though the Applicant Kashmira has stated that she was unaware as to how the said forged documents were circulated in the media and has blamed one Mr. Philip Bambhal for troubling her and the other Applicants, the investigation reveals otherwise. During the course of investigation, it was found that the forged documents were transmitted through a router which was seized during the search of her residence. Though the defense of the Applicant Kashmira is that nothing incriminating was seized from her house and that no WhatsApp messages were found, the investigation report of the seized router indicates that the relevant emails and messages were sent from and received at her end, including

communications addressed to the complainant.

11. It is further submitted that the amounts were deposited in the names of investors and were subsequently utilized by the Applicant for her personal benefit. The communication received from the Office of the Prime Minister clarifies that no such tender orders were issued and that the Applicant was never appointed in the Prime Minister's Office as a National Advisor. Thus, it is alleged that the Applicants have duped several persons by forging documents purportedly issued from the Office of the Prime Minister.

12. In view of the seriousness of the allegations and the magnitude of the amount involved, it is prayed that the Applications be rejected.

13. Heard the learned counsel for the respective parties at length, on two occasions

14. Though this Court had expressed its disinclination to grant bail after hearing both sides, learned Advocate Mr. Pawar insisted on further hearing of the matter. Accordingly, the matter was heard again and written notes of arguments were also taken on record. The learned Senior Counsel argued the matter on behalf of both the Applicants.

15. Upon perusal of the record, it appears that multiple crimes have been registered against the Applicants. One Mr. Bhambal has lodged certain complaints against them, and it is also noted that the Applicant has lodged complaints against him. However, merely because Mr. Bhambal lodged a complaint and an offence under Section 170 of Indian Penal Code was registered, the same cannot be construed as attracting the principle of double jeopardy. The material on record *prima facie* indicates that the Applicant projected herself as a National Advisor in the Office of the Hon'ble Prime Minister by using forged documents.

19. It further appears that she represented to the complainant that she had secured tenders for supply of food in Kashmir, supply of blankets and bedsheets, and supply of school uniforms in the State of Maharashtra, and on that pretext induced the complainant and others to part with substantial amounts.

20. The record also shows that the Applicant claims to have participated in certain projects such as "Make in India" and "Smart Village" and to have secured some rank therein. However, the said claims are disputed by the Investigating Officer. *Prima facie*, it

appears that she took undue advantage of such claims and duped several persons.

21. It is alleged that she, along with Applicant (who is also an Applicant in connected Applications), cheated several persons by personating herself as a Government officer and by forging documents purportedly issued by the Central Government. The use of the letterhead of the office of Hon'ble Prime Minister and other official documents is a matter of serious concern. A huge amount has allegedly been duped.

22. Considering the gravity of the allegations, the magnitude of the amount involved, and the material collected during investigation, this Court is not inclined to release both the Applicants on bail. Hence, the Applications stand **rejected**.

(MRS. VRUSHALI V. JOSHI, J.)