

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 228 OF 2026

Jayavant Namdev Chougule	...Applicant
Versus	
The State Of Maharashtra And Anr.	...Respondents

Adv. Mohan M. Chavan i/b Mr. Pushkar A. Nawagekar, for the Applicant.

Mr. Shrikant V. Gavand, APP, for the Respondent-State.

P.C. Y. S. Vitekari, Miraj City Police Station, present.

Digitally signed
by SHANTANU
SHANKARSA
DHUDUM
Date:
2026.06.16
15:52:30
+0530

CORAM : MEHROZ K. PATHAN, J.

DATE : 15th JUNE, 2026.

P.C.

1. Heard learned counsel for the Applicant and learned APP for the Respondent – State.

2. The Applicant has approached this Court seeking anticipatory bail in connection with Crime No.112 of 2026 registered with Miraj City Police Station, District: Sangli, for the offences punishable under Sections 419 and 420 read with Section 34 of the Indian Penal Code, 1860 (for short, “IPC”).

3. The prosecution case is that, Accused No.2, Somnath, and Accused No.3, Jija are the brother and sister of the informant. The

disputed property bearing Gat No.101, admeasuring 3 Hectares and 39 Ares, situated at Village-Savali, was purchased jointly by their late father along with Accused Nos.1, 4, 6, 9 and 5. After the demise of the father of the informant, the names of Accused Nos.2 and 3, and their mother, Muktabai, came to be mutated in the revenue records in respect of the said property. After the death of their mother, the informant requested Accused No.2, Somnath, to effect partition of the said property; however, he kept delaying the same. In the year 2022, when she made inquiries with the Sub-Registrar's office, she came to know that the said property had already been sold in the year 2006 to one Ashwin Pawar. The informant questioned accused Somanth about the sale of the ancestral property; he assured cancellation of the sale deed but did not take any steps for cancellation of the sale deed but did not take any steps for cancellation of sale. Thereafter, on 09.07.2025, the informant forwarded a written complaint to Miraj City Police Station from Kolhapur by post; however, as she was undergoing treatment for an ulcer, she could not remain present for the inquiry and ultimately, the complaint was filed. Thereafter, she again made a complaint to the Superintendent of Police, Sangli on 06.12.2025. It is the further case of the prosecution that Accused No.1 to 10 and the present Applicant, in collusion with each other, impersonated the informant through one Sugandha Shankar Bhosale

and, by using forged signature and thumb impression, sold her share in the land without her knowledge to Ashwin Pawar. Accordingly, on the report lodged by the informant the instant crime came to be registered.

4. Learned counsel for the Applicant submits that the Applicant is attributed only a limited role of identifying all the persons executing the sale deed. The main allegations are against the brother of the complainant and the other persons connected with the execution of the said sale deed. It is submitted that the Applicant is not having any criminal antecedents of identical offence. Except for one offence registered being F.I.R. No.181 of 2016, no other criminal case is reported against the Applicant. The Applicant is ready to abide by any conditions that may be imposed by this Court. Hence, the Applicant may be protected.

5. As against learned APP strongly opposes the bail application on the ground that the Applicant is involved in the serious offence of cheating by the impersonation, whereby the property of the complainant has been transferred in the name of the main accused with the assistance of the present Applicant. The present Applicant is one of the identifying witnesses along with Santosh Gurav who identified the executants of the sale deed. It was upon such identification of the present Applicant, that the Sub-Registrar

proceeded to execute and register the sale deed. The Applicant has, therefore, played an active role in facilitating the execution of a fraudulent sale deed and in misleading the Sub-Registrar. Learned APP further submits that the other co-accused is released on regular bail only after they were arrested. None of the accused have been granted anticipatory bail in the present crime. It is, therefore, contended that this is not a fit case for granting anticipatory bail to the Applicant, as the custodial interrogation of the Applicant is necessary to unearth the entire conspiracy behind the execution of the fraudulent sale deed. Hence, requested to reject the application.

6. I have gone through the investigation papers made available by the learned APP. Investigation is almost completed and a charge-sheet is likely to be filed. A perusal of the F.I.R. and the material collected during the course of investigation shows that the Applicant had only signed the said sale deed as an identifying witness to the persons executing the said documents.

7. A perusal of the papers placed on record further reveals that the sale deed in question was executed in the year 2006. The witnesses to the sale deed are some other persons. The only limited role attributed to the present Applicant is that the Applicant along with one Santosh Gurav had identified all the persons named in the sale deed to be the executants.

8. Taking into consideration, the limited role played by the Applicant in the year 2006. The submissions of the learned counsel for the Applicant that the Applicant was not having knowledge about the said offence of cheating by impersonation being committed by the real brother of the complainant appears to be probable at this stage. However, these observations are prima facie in nature made with an intention to decide the application for anticipatory bail.

9. The apprehension of learned APP can be taken care of by imposing the stringent conditions, I am thus inclined to protect the Applicant, hence, the following order:-

ORDER

- i. The application is allowed.
- ii. In the event of arrest of the Applicant - Jayavant Namdev Chougule in connection with Crime No.112 of 2026 registered with Miraj City Police Station, District: Sangli, for the offences punishable under Sections 419 and 420 read with Section 34 of the IPC, he be released on bail on furnishing P.R. Bond of Rs.50,000/- (Rupees Fifty Thousand) with one or two solvent sureties in the like amount, on the following conditions:

A) The Applicant shall attend the concerned police station on every Saturday between 11:00 a.m. to 1:00 p.m. and thereafter as and when called by the Investigating Officer,

till filing of the charge-sheet, if any, against the present Applicant.

- B)** The Applicant shall not tamper with the prosecution evidence and shall not influence the witnesses.
- C)** The Applicant shall submit his Aadhar Card and Pan Card copy to the Investigating Officer and detailed addresses and phone numbers of himself and two of the near relatives.
- D)** A single violation of the conditions would entitle the prosecution to seek cancellation of the bail.

10. In view of the aforesaid terms and conditions, the application is allowed and also stands disposed of.

(MEHROZ K. PATHAN, J.)