

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

CR. ANTICIPATORY BAIL APPLICATION. NO. 295 OF 2026

Mukund Ramchandra Rajopadhye ...Applicant
Versus

The State Of
Maharashtra And Anr ...Respondents

Mr. Ritesh M. Thobde i/b. Adv. Mervin Baradeskar, Advocate for the applicant.

Mr. Shubham R. Vasekar, Advocate for Intervenor.

Dr. Ashwini Takalkar, APP for respondent-State.

Moholkar A. S, HC Karmala Police Station, Solapur Rural present.

Coram : MEHROZ K. PATHAN, J.

Date : June 15, 2026.

P.C. :

1. Heard learned Counsel for the Applicant, learned Counsel for the Intervenor and learned APP for the Respondent–State.

2. The Applicant, aged 71 years, has approached this Court seeking anticipatory bail in connection with Crime bearing FIR No.0526 of 2025 dated 26th June 2025 registered with Karmala Police Station, Solapur Rural, for the offences punishable under Sections 420, 467, 468 and 471 read with Section 34 of the Indian Penal Code and Section 82 of the

Registration Act.

3. The case of the prosecution is that Mutation Entry No.1482 dated 7th January 2006 came to be recorded by showing that Ramesh Gaikwad, Vatsalabai Sonawane and Chandraleela Salwe had expired about 10 to 15 years earlier and, on that basis, the names of Sumatibai Gaikwad, Purushottam Gaikwad, Rajnikant Gaikwad and Sanjay Gaikwad were entered as their legal heirs. It is alleged that the said mutation entry was certified without following the prescribed procedure, which ultimately resulted in fraudulent transfer of the property. Hence, the present crime came to be registered.

4. Mr. Thobde, learned Counsel for the Applicant, submits that the Applicant has been falsely implicated in the present crime. It is submitted that the Applicant was not even named in the FIR and that the allegations in the FIR are primarily against co-accused Sumatibai Gaikwad, Purushottam Gaikwad, Rajnikant Gaikwad, Sanjay Gaikwad and Shobha Tanaji Khule, who allegedly got their names entered in the mutation records as legal heirs of the original owner Ramesh Gaikwad.

5. It is submitted that the role attributed to the Applicant is limited to issuance of a certificate identifying accused No.5 – Shobha Tanaji Khule, in whose favour the property was subsequently transferred by way of a sale deed executed in the year 2007. Apart from the said act, no overt act

is attributed to the Applicant. There are no allegations that the Applicant derived any benefit from the transaction or participated in the transfer of the property. The Applicant was then serving as a Talathi at Karmala and is alleged to have issued the said identification certificate. The Applicant is aged 71 years, has no criminal antecedents and is ready to abide by any conditions that may be imposed by this Court. Hence, it is prayed that the Applicant be protected.

6. Per contra, learned Counsel for the Intervenor as well as the learned APP strongly oppose the application. It is submitted that the Applicant is involved in serious offences relating to forgery of valuable security and cheating, which are punishable with severe sentences. According to the prosecution, during the custodial interrogation of arrested accused Tanaji Khule, it was revealed that the Applicant, who was then working as Talathi of Village Pothare, had issued a certificate in favour of accused No.5 Shobha Tanaji Khule certifying her to be a landless agricultural labourer, despite being aware that she was the wife of accused No.6 Tanaji Khule, who was also serving as a Talathi in the concerned village where the mutation proceedings had taken place.

7. It is submitted that the Applicant played an active role in facilitating the fraudulent transaction and thereby deprived the rightful owners of their valuable property. The custodial interrogation of the

Applicant is stated to be necessary for unearthing the entire conspiracy and identifying all persons involved in the commission of the offence. Hence, the application deserves to be rejected.

8. I have carefully gone through the investigation papers, including the mutation records and the sale deed of the year 2007 made available by the learned APP. The material on record indicates that one of the documents relied upon by accused No.5 Shobha Tanaji Khule was a certificate allegedly issued at the behest of the present Applicant, who was then serving as Talathi. The said certificate is dated 11th July 2007, which is also the date on which the sale deed came to be executed.

9. Apart from the aforesaid document, no other specific role is attributed to the present Applicant. There are no allegations that the Applicant derived any pecuniary benefit from the transaction. The Applicant is aged 71 years and does not have any criminal antecedents.

10. It is also pertinent to note that accused No.5 Shobha Tanaji Khule, who is attributed a more substantial role in the transaction and is the wife of co-accused Tanaji Khule, has already been granted interim protection by this Court vide order dated 19th September 2025 passed in Anticipatory Bail Application No.2238 of 2025. Similarly, co-accused Harichandra Atmaram Binvade has also been granted protection by this Court vide order dated 15th September 2025 passed in Anticipatory Bail

Application No.2502 of 2025.

11. Taking into consideration the advanced age of the Applicant and the limited role attributed to him, namely issuance of the certificate identifying accused No.5 Shobha Tanaji Khule, I am inclined to grant protection to the Applicant. The apprehensions expressed by the learned APP can be adequately addressed by imposing stringent conditions. Hence, the following order:

ORDER

I) In the event of arrest of the Applicant – Mr. Mukund Ramchandra Rajopadhye, he be released on bail on furnishing P.R. Bond of Rs.50,000/- (Rupees Fifty Thousand only) with two solvent sureties in the like amount, in connection with the Crime bearing FIR. No.0526 of 2025 dated 26th June 2025 registered with Karmala Police Station, Solapur Rural, for the offences punishable under Sections 420, 467, 468, 471 read with Section 34 of the Indian Penal Code and 82 of Registration Act. , on the following conditions:-

A) The Applicant shall attend the concerned police station and report to the Investigation Officer on every Friday and Saturday between 11:00 a.m. and 1:00 p.m., till the charge-sheet is filed.

B) The Applicant shall not enter the jurisdiction of Karmala police station, except for attending the dates as aforesaid, till the filing of charge-sheet.

- C) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - D) The Applicant shall submit his Aadhar and PAN cards copy to the Investigating Officer and detailed addresses and phone numbers of himself and two of the near relatives.
 - E) A single violation of the conditions would entitle the prosecution to seek cancellation of the bail of the Applicant.
- II) The application is allowed in the above terms and stands disposed of.

[MEHROZ K. PATHAN, J.]