ARJUN VITTHAL KUDHEKAR
Digitally signed by ARJUN VITTHAL KUDHEKAR
Date: 2026.10.01 23:00:44 +0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 8 OF 2026

Suryakant Gulabrao Yewale … Applicant

V/s.

State of Maharashtra …. Respondent

WITH
INTERIM APPLICATION NO.469 OF 2026
IN
ANTICIPATORY BAIL APPLICATION NO. 8 OF 2026

Kundan Janku Gaikwad & Ors. … Applicants

V/s.

State of Maharashtra …. Respondent

Mr. Harshad V. Nimablkar a/w Mr. Satyam Harshad Nimbalkar, Mr. Shivam Harshad Nimbalkar and Mr. Abhishek Ulhas Arote, for the Applicant.

Mr. Atharva R. Bhingardeve a/w Mr. Saniya Patki i/by Mr. Arun S. Sonavane for Intervenors/Vatandars in IA/469/2026.

Mr. S. V. Gavand, APP, for the Respondent No.1-State.

Mr. Sandeep Paigude (through VC) for Respondent No.2.

Mr. Dinkar S. Paigude (through VC) for Respondent No.2.

Ms. Nita Padvi (S.P. D. G. Off.) present.

Mr. Nikhil Etame (Police Constable), P. G. Office, Mumbai present.

Mr. Ankush Bangar (DYSP), D. G. Office Mumbai present.

CORAM : MADHAV J. JAMDAR, J.
DATED : 1 OCTOBER 2026

P. C. :-

1. Heard Mr. Nimbalkar, learned Senior Counsel appearing for the Applicant Mr. Gavand, learned APP appearing for the Respondent-State and Mr. Paigude, learned Counsel appearing for Respondent No.2.

2. By this application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Applicant is seeking pre-arrest bail in connection with C.R. No. 522 of 2025 registered with Khadak Police Station, Pune for the offences punishable under Sections 201, 316(2), 316(5), 318(4), 336(3), 336(4), 338, 340(2), 61(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, 40 Acres land out of the land bearing Survey No. 88, Hissa No.1 to 26, situated at Mouje Mundhwa, Pune City, totally admeasing 17 Hectares, 51 R is the subject matter of the present crime. The said land is owned and is in possession of the Government of Maharashtra as per the order dated 13 September 1955 and by Mutation Entry No.1962 dated 24 October 1955, the name “Mumbai Sarkar” is recorded in the 7/12 extract of the said land. Since 1959, as per Government

order, possession of the said land was given to Botanical Survey of India on lease and the said lease has been renewed again for the period from 1988 to 2038. As per the prosecution case, Accused No.8-Sheetal Kishanchand Tejwani was claiming to be the owner of this property and the said property has been sold to M/s. Amadea Enterprises LLP by executing a registered Sale Deed dated 20 May 2025. Although the said registered Sale-Deed mentions consideration of Rupees Three Hundred Crores, as per the Affidavit of Investigating Officer no monetary consideration whatsoever was transferred by M/s. Amadea Enterprises LLP to said Accused No.8-Sheetal Kishanchand Tejwani. The said M/s. Amadea Enterprises LLP has two partners namely Mr. Parth Pawar who is having 99% share and Mr. Digvijay Patil who is having 1% share.

4. As per the prosecution case, by sale and purchase of the government land, serious offence has been committed by the Accused. However, the partner who is having 1% share i.e. Mr. Digvijay Amarsinh Patil is made as Accused No.9, however, Mr. Parth Pawar who is having 99% share in the said M/s. Amadea Enterprises LLP has not been made accused.

5. In view of above position and as said Parth Pawar is very highly influential and the son of the Deputy Chief Minister of the State of Maharashtra, this Court by order dated 7 September 2026 directed the Director General of Police as also the Investigative Officer to file the Affidavits. Pursuant to the said direction, Mr. Sadanand Date, Director General of Police, Mr. Amitesh Kumar, Commissioner of Police and also Mr. Dattatraya Mahadev Waghmare, the Assistant Police Inspector attached to Economic Offences Wing, who is the Investigative Officer have filed affidavits.

6. In the affidavit dated 24 September 2026 of the Director General of Police, it has been stated that on detailed scrutiny of the investigation papers, there is a need for more professional and detailed investigation and, therefore, instructions have been issued to the Commissioner of Police to carry out further investigation and review the progress of the investigation every week. In the said affidavit, it is further stated that the Commissioner of Police has been instructed to submit progress report of the investigation to the office of the Director General of Police within six weeks. It

has been further stated that the office of the Director General of Police will periodically monitor the progress of the investigation.

7. As far as the allegations against the present Applicant are conerned, it is alleged that he has passed an order dated 1 July 2025 under section 70B of the Bombay Tenancy and Agricultural Lands Act, 1948 *inter alia* holding that the Applicants in said Tenancy/70B/SR/01/2024 are the owners. The other allegation against the present Applicant is that he has issued letter dated 14 July 2025 in his capacity as Tahsildar, Pune City, Pune, which is an intimation to the Sub-divisional Officer Pune, Pune Sub-division about the purchase of land by said M/s. Amadea Enterprises LLP by registered Sale Deed dated 20 May 2025. The said letter dated 14 July 2025 was issued by the present Applicant on the basis of the letter dated 26 May 2025 of the said M/s. Amadea Enterprises LLP.

8. It is a submission of Mr. Nimbalkar, learned senior counsel that by exercising quasi judicial power under the provisions of the Bombay Tenancy and Agricultural Lands Act, 1948 ("**BTAL Act**"), which has been vested with the Applicant, in his capacity as Tahsildar and Agricultural Land Tribunal, Pune City, he has passed

said order dated 1 July 2025, in Tenancy/70B/SR/01/2024. He submitted that assuming that order passed is an illegal order, there is a remedy of challenging the same. Learned Senior Counsel submits that in any case the said order is quasi-judicial order and there is no allegation that the same is passed for illegal gratification. It is further submitted that the said letter dated 14 July 2025 has been issued only as an intimation letter regarding letter dated 26 May 2025, submitted by said M/s. Amadea Enterprises LLP. It is submitted that the Applicant will cooperate with the investigation.

9. On the other hand, Mr. Gavand, learned APP for the Respondent-State submitted that the allegations against the present Applicant are very serious, requiring custodial interrogation. He submitted that now the further investigation of this case will be conducted pursuant to the directions issued by the Director General of Police by letter dated 19 September 2026.

10. As per the prosecution case, there are very serious allegations against Acused No.8 and the said M/s. Amadea Enterpirses LLP, of which said Parth Pawar is a partner having 99% share and Accused No.9-Digvijay Amarsinh Patil is having 1% share in the said LLP. The allegations are concerning purchase of

Govenrment Land admeasuring 40 Acres situate at Mauje Mundhwa, Pune which is prime locality of Pune. As noted earlier, Director General of Police in the affidavit has stated that there is need of more professional and detailed investigation and also stated that he will personally monitor the investigation.

11. As far as the allegations against the present Applicant are concerned, the allegation is that he has passed an order dated 1 July 2025 in said Tenancy/70B/SR/01/2024 in favour of the Applicants who filed said proceedings and that the Applicant has issued said communication dated 14 July 2025.

12. As far as said order dated 1 July 2025 is concerned, Mr. Nimbalkar, learned senior counsel is right in contending that that the order has been passed by the Applicant in his quasi judicial capacity as Tahsildar alias Agricultural Land Tribunal, Pune City under the provisions of the BTAL Act. There is no allegation that said order has been passed for illegal gratification.

13. This Court by order dated 5 January 2026 has granted interim protection to the Applicant. There is nothing on record to show that the said protection has been misused. Mr. Nimbalkar, learned senior counsel states that the Applicant will cooperate with the investigation.

14. Thus, for above reasons, the case is made for grant of Anticipatory Bail. Accordingly, the following order is passed:

O R D E R

(a) In the event of arrest of the Applicant in connection with C.R. No.522 of 2025 registered with Khadak Police Station, Pune, the Applicant is directed to be released on bail on furnishing P.R. Bond in the sum of Rs.1,00,000/- with one or two solvent sureties in the like amount.

(b) The Applicant shall attend the concerned Police Station as and when necessary.

(c) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.

(d) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.

(e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.

(f) The Applicant shall not leave India without prior permission of the Court.

15. The Anticipatory Bail Application is disposed of accordingly.

16. As the Anticipatory Bail Application is disposed of, nothing survives in the Interim Application and same is also disposed of.

17. It is clarified that the observations made in this order are of *prima facie* in nature.

[MADHAV J. JAMDAR, J.]