S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1823 OF 2026

Pooja Gyansingh Yadav and Ors. … Applicants
VERSUS
State Of Maharashtra & Anr. … Respondents

WITH
INTERIM APPLICATION NO. 2591 OF 2026
IN
ANTICIPATORY BAIL APPLICATION NO. 1823 OF 2026

SONALI SATISH KILAJE Digitally signed by SONALI SATISH KILAJE Date: 2026.10.14 10:43:59 +0530

Achal Gyansingh Yadav … Applicant

IN THE MATTER BETWEEN

Pooja Gyansingh Yadav and Ors. … Applicants
VERSUS
State Of Maharashtra & Anr. … Respondents

Mr. Amit Singh, Advocate for the Applicants.
Mr.Arfan Sait, APP for the Respondent – State.
None for Respondent No.2.
PSI – Bhabad, Investigating Officer, Vitthalwadi Police Station, Thane City.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 12th OCTOBER, 2026.

P.C. :

1. Heard learned counsel for the applicant as well as learned APP for respondent.

2. Nobody had appeared on behalf of respondent No.2 in the first half and therefore the matter was kept in second half and nobody appears on behalf of respondent No.2 in the second half.

3. The applicants have filed instant application seeking pre-arrest bail in connection with FIR No. 283 of 2026 registered with Vitthalwadi Police Station, for the offence punishable under Sections 338, 336(3), 336(2), 318(4), 3(5), 140(2) and 123 of Bharatiya Nyaya Sanhita, 2023 (for short "BNS Act").

4. The FIR is lodged by the complainant against his mother, sister and brother-in-law who are arraigned as accused Nos. 1, 2 and 3 in the offence. The complainant has alleged that during the period from September -2023 to 24.02.2025, the accused persons have administered certain stupefying substance to the complainant through his food and he was thereafter sent to a Rehabilitation Centre. It is alleged that during the period from 11.06.2024 to 24.02.2025 accused persons have got prepared certain forged and fabricated documents in connection with the property of their family and the complainant is deprived of his rights in the property. On the basis of these allegations the offence is registered against the accused persons.

5. Learned counsel for the applicants submits that the applicant No.1 is a mother of the complainant, applicant No.2 is the real sister and respondent No.3 is the brother-in-law of the applicant. He submits that FIR is registered in the background of a family dispute, in between the complainant and the family members with respect to the property left by

the deceased- father of the informant. He submits that there is no material to support the allegations in FIR about administering any stupefying substance and the report is lodged under misconception of fact. He submits that although allegations are made about forgery of documents, there is nothing to show any acts of forgery or cheating. In any case, these allegations and contentions, if any, would be a subject matter of investigation. He submits that in accordance with the interim protection order dated 28.09.2026 passed by this Court, the applicants have attended the police station and extended cooperation to the Investigating agency. He, therefore, prays for confirmation of interim protection.

6. Learned APP for the respondent has opposed the application and pointed out that there are allegations in FIR about the acts of cheating by accused persons on the basis of forged and fabricated documents thereby affecting the rights of the complainant. Learned APP invited attention to the certain documents received from the Rehabilitation Centre and statement of the staff which includes several statements of the witnesses. He submitted that there is material to show that the informant was admitted to Rehabilitation Centre since he was suffering from anger issues. He placed on record the compilation of documents.

7. Perused the FIR and the documents placed on record. It has to be seen that the admission form of the informant at the Rehabilitation

Centre was signed by the complainant and it thus appears that he had consented for his admission. The statements of the witnesses revealed that the applicants had severe anger issues and used to behave violently. As regards the allegations about obtaining signatures of the informant on the documents of the property, the allegations are subject matter of the investigation.

8. At this stage, on perusal of the FIR and the documents placed on record, it appears that FIR is lodged in the background of a family dispute in between the complainant and the accused persons. The allegations in FIR about forgery of the documents *prima facie* appear to have been introduced to implicate all the five accused persons in the alleged offence. At this stage, considering the fact that the applicants are ladies having no criminal antecedents and in view of the fact that they have attended police station in accordance with the interim protection, the custodial interrogation of these applicants is not warranted. So also, considering the nature of offence, the investigation would be related to documentary evidence and nothing is to be recovered from these applicants. Further considering the progress of investigation as pointed out by the learned APP, on instructions from Investigating Officer that chargesheet is likely to be filed within one week, the instant application needs to be allowed.

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9. Hence, I pass the following order :

ORDER

(i) Anticipatory Bail Application is allowed.

(ii) In the event of arrest of these applicants in connection with FIR No. 283 of 2026 registered with Vitthalwadi Police Station, for the offence punishable under Sections 338, 336(3), 336(2), 318(4), 3(5), 140(2) and 123 of the Bharatiya Nyaya Sanhita, 2023 (for short "BNS Act"), they be released on bail on furnishing P. R. Bond of Rs.25,000/- (Rupees Twenty Five Thousand Only) each, with one solvent surety in the like amount.

(iii) The applicants shall not influence the prosecution witnesses in any manner.

(iv) The applicants are directed to attend the police station as and when called upon by the investigating agency and shall extend cooperation during investigation and trial.

10. Application is accordingly allowed and disposed of. Pending Interim Application No. 2591 of 2026 is also disposed of.

(PRAFULLA S. KHUBALKAR, J.)