

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3932 OF 2023**

Bhau N. Chavan	...Applicant
Versus	
State of Maharashtra	...Respondent

Mr. Priyal G. Sarda for the Applicant.
Ms Prajakta P. Shinde, APP for the Respondent/State.

CORAM : N. R. BORKAR, J.
DATE : 3 FEBRUARY 2024.

PC:-

1. This is an application under Section 439 of Code of Criminal Procedure for grant of bail.
2. The applicant came to be arrested in C.R. No.1051 of 2022 registered at Chakan Police Station, Pimpri - Chinchwad for the offences punishable under Sections 420, 467, 468, 471 read with 34 of the Indian Penal Code.
3. The allegations against the present applicant are of impersonation and forgery.
4. I have heard the learned counsel for the applicant and the learned APP for the respondent- State.
5. The learned counsel for the applicant submits that the applicant is in jail for 1 year and 6 months. It is submitted that all the offences are triable by the Magistrate. It is further submitted that there are no other criminal antecedents.
6. On the other hand, the learned APP for the

respondent/State submits that the applicant has prepared forged identity documents of his own relative and executed agreement to sell. It is submitted that the applicant got Rs.28 Lakhs towards consideration. It is submitted considering the nature of offence, the applicant may not be released on bail.

7. The learned counsel for the applicant submits that though the applicant has not received the alleged amount, still without prejudice to his rights, the applicant is willing to deposit Rs.5 lakhs before the trial Court. Admittedly, the offences are triable by the Magistrate. The applicant is in jail for 1 year and 6 months. Considering the overall facts and circumstances, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

- (i) The Application is allowed.
- (ii) The applicant be released on bail in C.R.No.1051 of 2022 registered at Chakan Police Station, Pune for the offences punishable under Sections 420, 467, 468, 471 read with 34 of the Indian Penal Code on furnishing P.R.Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.
- (iii) The applicant shall deposit amount of Rs.5 Lakhs before the trial Court within two months from the date of his release.
- (iv) List the application for compliance on 5 April 2024.

(N.R. BORKAR, J.)