

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2881 OF 2024**

Raghunath Abaji Lende	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Ashok Mundargi, Senior Advocate i/b Mr. Raviraj Paramane
and Mr. Pranay Shivthare, Advocates for Applicant.
Mr. S. M. Mangaonkar, APP for the Respondent.
PSI, R.K. Shinde, Junnar Police Station, Pune Rural.

**CORAM: MADHAV J. JAMDAR, J.
DATED : 10th FEBRUARY 2026**

P.C.:

1. Heard Mr. Mundargi, learned Senior Counsel appearing for the Applicant and Mr. Mangaonkar, learned APP for the State.

2. By the present application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS"), the Applicant is seeking pre-arrest bail in connection with C.R. No.298 of 2024 registered with Junnar Police Station, Pune Rural, for the offences punishable under Sections 420, 409, 465, 467, 468, 471, 120-B, read with Section 34 of the Indian Penal Code, 1860.

3. The prosecution case is set out in paragraph Nos.3 and 4 of the order dated 27th September 2024 passed by the learned Additional Sessions Judge, Khed-Rajgurunagar Pune in Criminal Bail Application No.543 of 2024. The said paragraph Nos.3 and 4 reads as under:-

3. **Background facts**

The informant viz, Pradeep Laxman Chavan being a public servant as a Range Forest officer, Junnar lodged an FIR with Junnar police station alleging therein that the applicants and their associates allegedly hatched criminal conspiracy and in pursuance of that conspiracy fabricated the false certificates and documents department concerned and made transaction of forest land to various persons which is reserved land of Government. According informant, applicant no. 1 Arun Dattatray Deshmukh is a key person who in collusion with other persons prepared false documents and insisted the public officer to grant permission based on the false documents. Instead the land mentioned in FIR is reserved for forest and any kind of alienation is prohibited by law, applicant no. 1 obtained false documents from the department concerned. Applicant no. 1 inatead knowing the documents are not genuine used the same as genuine before the public offices and procured the permission certificate for sale of reserved forest land. Applicant nos. 2 and 3 are family members of applicant no. 1. Applicant nos. 2 and 3 allegedly purchaser of reserved land of forest basing false documents and instead they knowing fact of prohibition to sale forest land.

4 Whereas, co-accused Nos. 8, 9 and 10 are the then Sub-Registrar office who were under bond duty that while executing any sale deed with their office, they should intimate to office concerned, instead of that the

aforesaid co-accused allegedly in furtherance of their criminal conspiracy with other co-accused registered sale deed with their office regarding forest reserved land and committed offence of cheating and other offences. Sum and substance of complaint, applicants along with other co-accused in pursuance of their criminal conspiracy prepared the forged documents and thereby transferring property to various persons wrongfully gained huge amount in multiple lakhs and caused wrongful loss of huge amount to government. According to informant, there is a probability of huge racket in making as such documents to extract the reverse land of forest in the said racket so many persons are involved like the applicants. Hence, this report.

4. It is the submission of Mr. Mundargi, learned senior counsel that although FIR records the user of the fabricated gazette and transaction of forest land was made on the basis of the same, he submits that even fresh certified copies received from the Directorate of Archives, Mumbai shows that the same were similar as presented to the Sub-Registrar and therefore, the allegations of forgery and fabrication has no basis. He submits that a learned Single Judge has already protected the Applicant by order dated 24th October, 2024. He submits that there is nothing on record to show that the Applicant has misused the said liberty. He submits that there are no antecedents.

5. On the other hand, Mr. Mangaonkar, learned APP strongly opposes the Application. He submits that the Applicant is involved in the crime and the offences are very serious. A fabricated Gazette of the year 1918 has been misused and therefore custodial interrogation is necessary.

6. A learned Single Judge by order dated 24th October, 2024 has already granted interim protection. There is nothing on record to show that the interim protection is misused. Paragraph Nos. 8 and 10 of said order dated 24th October, 2024 are relevant which read as under:-

*“8. This Court has carefully perused the statement, leading to registration of the FIR. In the first place, there appear to be some errors in recording the dates of the documents in respect of which allegation of forgery and fabrication is made. While the documents being relied upon even by the learned APP show that **the subject documents are dated 20.03.1918 and 12.07.1938**, the FIR records the documents as notifications dated 21.03.1918 and 14.07.1938. Apart from this, **the applicant has placed on record certified copies obtained from the office of the Directorate of Archives, Mumbai showing that as recently as yesterday, the said office has issued certified copies of document dated 20.03.1918, which is identical with the documents on the basis of which, the registered documents were got executed before the office of the Sub Registrar. Prima facie, this shows that the documents relied upon by the applicant alongwith the co-accused owners of the land, showing that the subject lands ceased to be reserved forest, are***

very much forming part of the official record of the Directorate of Archives, Mumbai.

10. It is to be noted that the applicant having parted with huge amount of Rs.1.95 Cores, as valuable consideration for the subject land, it is not even alleged that there is under valuation during the course of execution of the said document. In this situation, it would be appropriate to grant interim relief to the applicant, as he has undertaken to cooperate with the investigation. It is relevant factor that the original owners have been already granted anticipatory bail by the Sessions Court. The concerned official of the office of the Sub Registrar was granted anticipatory bail by this Court”.

(emphasis added)

7. Accordingly, the Applicant is entitled to pre-arrest bail.

Hence, following Order is passed:

ORDER

- (i) In the event of arrest, the Applicant - Raghunath Abaji Lende be released on bail in C.R. No.298 of 2024 registered with Junnar Police Station, Pune Rural on executing PR. bond of Rs.1.00,000/- and furnishing one or two sureties in the like amount.
- (ii) The Applicant shall attend the concerned Police Station as and when called by the Police and shall co-operate with the investigation.

- (iii) 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.
- (iv) 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.
- (v) The Applicant shall not leave India without prior permission of the Court.
- (vi) The Applicant shall deposit the passport with the Investigating Officer.
- (vii) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness, in any manner.

8. The Anticipatory Bail Application is allowed and disposed of accordingly.

(MADHAV J. JAMDAR, J.)