

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.21 OF 2026

Kartik Sanjay Bembde

...Applicant

Versus

State of Maharashtra

...Respondent

Mr. Niranjan Mundargi a/w Keral Mehta, *for the Applicant.*

Ms. Poonam P Bhosale, *APP for the Respondent - State.*

PSI – Andurlekar, Vishnunagar Police Station, present.

CORAM DR. NEELA GOKHALE, J.

DATED: 17TH JANUARY 2026

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with C.R. No. 544 of 2025 dated 19th October, 2025, registered with the Vishnunagar Police Station, Dombivli, for the offences punishable under Sections 318(2), 336(2), 336(3), 338, 238 r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short '**BNS**').

2. The facts of the prosecution case, in brief, are that the Applicant along with the co-accused are alleged to have prepared forged orders purported to have been passed by the

Revenue Minister of State of Maharashtra and the Section Officer, along with their signature, stamp and seal. The said offence was revealed on the report of the Revenue Officer (SDM), Kalyan. Accordingly, the FIR was registered. The Applicant was arrested on 20th October 2025. Initially, one Rhythm Mhatre was also arrested along with the Applicant. However, charge-sheet was filed only against the present Applicant.

3. The Applicant made an application seeking bail before the Additional Sessions Judge, Kalyan, Dist. Thane, however, by order dated 16th December 2025, the said application was rejected. Hence, the Applicant has filed the present Bail Application for the reliefs as prayed.

4. Mr. Mundargi, learned counsel for the Applicant, submits that the Applicant has not committed the alleged offence and this is a case of false implication. In fact, the order purported to be the forged order, was found on the mobile phone of the co-accused Rhythm, who was earlier

shown to be an accused but dropped from the charge-sheet. He submits that the present Applicant is made a scapegoat. He submits that the police have recovered only his laptop and mobile and nothing was retrieved from the said laptop. He submits that apart from the said laptop there is no material on record to indicate complicity of the Applicant in the present offence. In any case, he submits that the Applicant is a 25-year-old law graduate and has no criminal antecedents. Thus, he prays that the Applicant be enlarged on bail.

5. Ms. Bhosale, learned APP representing the State, resists the Bail Application. She submits that a *prima facie* case is clearly made out against the Applicant. She submits that there are two witnesses who have recorded their statement with the police stating that they saw an order on the laptop of the Applicant and the Applicant himself told them that he was forging the said orders and, in their presence, the Applicant also printed the said orders. She submits that the offence is serious and the Applicant has

forged the signature of the revenue minister and has also affixed the stamp and seal of the State Government. She further submits that there is a possibility of tampering with the evidence and intimidating the witnesses. Therefore, she prays that the application be rejected.

6. I have heard learned counsel for the respective parties and perused the record of the case with their assistance.

7. Although there is a specific allegation against the Applicant that he along with the co-accused prepared the forged order of the Revenue Minister, affixing the seal and signature, it is quite discerning that the co-accused has not been charge-sheeted. In fact, from the statement of the complainant it is revealed that it is the co-accused who sent the order from his mobile to the First Informant. Yet, the said order was not recovered or retrieved from the said mobile phone, and even though the order is recovered from the mobile phone, it appears that he is not charge-sheeted.

8. The statement of witnesses as pointed out by Ms. Bhosale, *albeit* records that the Applicant himself showed them some orders, however, it is not ascertained at this stage as to the nature of that order and whether the said text in the laptop was in fact the subject order, purported to have been forged. Admittedly, there are no criminal antecedents against the present Applicant. He has already suffered incarceration since 20th October 2025 and no purpose will be served by his continued incarceration.

9. In these circumstances, I am inclined to enlarge the Applicant on bail. It is accordingly ordered as under

ORDER

- i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs.50,000/ with one or two local sureties in the like amount;
- ii) The Applicant shall attend the Trial Court concerned on each and every date unless exempted by the orders of the Trial Court concerned;

- iii) The Applicant shall also attend the Police Station concerned once in a month between 11:00 a.m. to 02:00 p.m., till the charges are framed;
- iv) If the Applicant has not deposited his passport, if any, the Applicant shall deposit the same with the Police Station concerned;
- v) The Applicant shall not leave India, without the permission of the Trial Court;
- vi) The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
- vii) The Applicant shall inform his latest place of residence and contact number immediately after being released and / or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the Police Station concerned;

viii) The Applicant to co-operate with the conduct of the trial;

ix) Any infraction of the aforesaid conditions shall entail cancellation of bail.

10. Application is allowed in the above terms and is accordingly disposed of.

11. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the learned Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(DR. NEELA GOKHALE, J)