

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

ANTICIPATORY BAIL APPLICATION NO.172 OF 2026

Suchita Bhagwan Bhoir ... Applicant
V/s.
The State of Maharashtra & Anr. ... Respondents

Ms. Sandhya Mailagir i/by Anil D. Joshi for the Applicant.
Mr. P. H. Gaikwad, APP for Respondent No.1-State.
Mr. Gajendra Jadhav for Respondent No.2.
API Sanap D. S., Hill Line PS is present.

CORAM : N.R. BORKAR, J.
DATE : 22ND JANUARY 2026

P.C. :

1. This is an Application for anticipatory bail.
2. The Applicant is apprehending her arrest in Crime No.673 of 2025 registered with Hill Line Police Station for the offences punishable under Sections 3(5), 318(4), 336(2), 340(2) of the Bharatiya Nyaya Sanhita, 2023.
3. It is the case of the prosecution that in 2019 the first informant purchased a flat from the present Applicant and other co-accused. Accordingly, the first informant got executed a Sale Agreement in her favour as well as paid monies to the co-accused from time to time towards the total consideration of the said flat. However, upon completion of the construction of the building, the present Applicant and other co-accused restrained the first informant from taking possession of the said flat.

Subsequently, it was disclosed that the said building constructed by the Applicant and other co-accused was unauthorised and thus on 3rd May 2025, the Kalyan Dombivali Municipal Corporation had demolished the said building. The allegations against the present Applicant and other co-accused are thus of defrauding the first informant and other flat purchasers.

4. I have heard Learned Counsel for the Applicant, Learned APP for Respondent No.1-State and Learned Counsel for Respondent No.2.

5. Learned Counsel for the Applicant submits that the Applicant is the land owner and has nothing to do with the alleged crime. It is submitted that the main allegations are against the developer Sunil Pote. It is submitted that the Applicant has not received any amount from flat purchasers.

6. On the other hand, Learned APP for the Respondent-State and Learned Counsel for the first informant submit that the building was constructed on the basis of forged documents. It is submitted that the husband and the son of the Applicant are the beneficiaries of certain amounts. It is submitted that considering the nature of crime, the Applicant may not be released on anticipatory bail.

7. I have perused the FIR. The main allegations are against the co-accused Sunil Pote. There is no need of custodial interrogation of the applicant. There are no other criminal antecedents. In that view of the

matter, I am inclined to release the Applicant on anticipatory bail. Hence, the following order:-

ORDER

- i. The Anticipatory Bail Application is allowed.
 - ii. In the event of the arrest of the Applicant in Crime No.673 of 2025 registered with Hill Line Police Station for the offences punishable under Sections 3(5), 318(4), 336(2), 340(2) of the Bharatiya Nyaya Sanhita, 2023, she shall be released on bail on furnishing a PR Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.
 - iii. The Applicant shall attend the concerned Police Station as and when called for by the investigating officer and shall co-operate in the investigation.
8. The Anticipatory Bail Application is disposed of in the aforesaid terms.

(N.R. BORKAR, J.)