

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

ANTICIPATORY BAIL APPLICATION NO.1110 OF 2026

Ravindra Nivrutti Gaikwad : Applicant
Versus
The State of Maharashtra : Respondent.

**WITH
ANTICIPATORY BAIL APPLICATION NO.1080 OF 2026**

Vikram Digvijay Kapadia : Applicant
Versus
The State of Maharashtra & Anr. : Respondents.

**WITH
ANTICIPATORY BAIL APPLICATION NO.1085 OF 2026**

Abhishekh Narendra Thakker : Applicant
Versus
The State of Maharashtra & Anr. : Respondents.

Mr. Prasad Dhakephalkar, Senior Advocate (Through V.C.) a/w
Mr. Pradeep Thorat i/by Adv. Aditi Naikare for the Applicant
in ABA No.1080 of 2026.

Mr. Pradeep Thorat i/by Adv. Aditi Naikare for the Applicant
in ABA No.1085 of 2026.

Mr. Prashant Patil a/w Mr. Vivek Salunke and Mr. Ajinkya
Jaibhave for the Applicant in ABA No.1110 of 2026.

Mrs. Geeta Mulekar, APP for the Respondent/State in ABA
Nos.1080 of 2026 and 1085 of 2026.

Ms. Pallavi Dabholkar, APP for the Respondent/State in ABA
No.1110 of 2026.

PSI Shriwant, Sarkarwada Police Station present.

CORAM : ASHWIN D. BHOBE, J.

DATED : 27 APRIL 2026

PC:-

1. Mr. Prasad Dhakephalkar, learned Senior Advocate for the Applicant in ABA No.1080 of 2026; Mr. Pradeep Thorat, learned Advocate for the Applicant in ABA No.1085 of 2026; and Mr. Prashant Patil, learned Advocate for the Applicant in ABA No.1110 of 2026, mentioned these Applications out of turn on the ground that the role assigned to the present Applicants is similar to that assigned to co-accused Ganesh Baban Gite, who has been granted anticipatory bail by this Court in the same Crime No.64 of 2026. They therefore requested that these Applications be taken up for hearing out of turn on the ground of parity. They further stated that these Applications be taken up together as the issues involved are common and pertain to the same Crime. At the request of the learned Advocates for the Applicants and with the consent of Ms. Geeta Mulekar and Ms. Pallavi Dabholkar, learned APPs for the Respondent-State, these Applications are taken up for hearing out of turn.

2. Heard, Mr. Prasad Dhakephalkar, learned Senior Advocate for the Applicant in ABA No.1080 of 2026 (Serial No.124), Mr. Pradeep Thorat, learned Advocate for the Applicant in ABA No.1085 of 2026 (Serial No.126) and Mr.

Prashant Patil, learned Advocate for the Applicant in ABA No.1110 of 2026 (Serial No.85). Ms. Geeta Mulekar, learned APP for the Respondent/State in ABA Nos.1080 of 2026 and 1085 of 2026, Ms. Pallavi Dabholkar, learned APP for the Respondent/State in ABA No.1110 of 2026.

3. The Applicants in these Applications, who are the purchasers of the property at Gangapur, Nashik, are before this Court seeking pre-arrest bail in connection with Crime No. 64 of 2026 registered at the Sarkarwada Police Station, Nashik (hereafter “impugned FIR”), for offences punishable under Sections 335, 336(2), 336(3), 337, 338 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

4. The first informant in the present crime is the Deputy Superintendent of Land Records, Nashik. The case of the prosecution in the said crime is that by virtue of Government Notifications dated 8 November 2013 and 9 January 2017, every residential development project exceeding 4,000 square meters within the jurisdiction of the Nashik Municipal Corporation was required to reserve 20% of its land for housing of Economically Weaker Sections ('EWS') and Low-Income Groups ('LIG'), to be allotted through MHADA. In order to circumvent this statutory obligation, it is alleged that the landowners, project developers, and their unknown associates prepared fabricated Hissa forms and forged survey maps to show sub-divisions of large parcels of land as if they had been lawfully effected prior to the notification of 8

November 2013. These counterfeit records bore forged signatures and seals and were submitted to the Tehsil office to create false and bogus separate 7/12 extracts without any lawful survey measurement. Upon discovery of irregularities, the Collector, Nashik, constituted an inquiry committee by an order dated 30 September 2024. The inquiry committee examined 108 cases of land fragmentation and found that in 49 instances, including land bearing Survey No. 70/1 at Gangapur, owned by the Applicant, fraudulent survey maps and fabricated subdivision records had been used to mislead authorities. It is further alleged that such acts amount to a calculated deception and forgery, intended to cheat the State Government, cause wrongful loss to MHADA, the Revenue and Land Records Departments, and frustrate the object of the Inclusive Housing Policy.

5. Mr. Prasad Dhakephalkar learned Senior Advocate, submits that the co-accused (Ganesh Baban Gite), in the impugned FIR, on facts like those of the Applicants herein, had applied for pre-arrest bail before this Court. The said application was registered as Criminal Anticipatory Bail Application No.845 of 2026. He submits that by order dated 18 April 2026, this Court allowed the Criminal Anticipatory Bail Application No.845 of 2026 (said order is at Exhibit-M, page nos. 102 to 114 of the paper book of Anticipatory Bail Application No.1080 of 2026). He relies on the said order dated 18 April 2026 in support of his case in these Applications.

6. Mr. Pradeep Thorat learned Advocate for the Applicant in ABA No.1085 of 2026 and Mr. Prashant Patil learned Advocate for the Applicant in ABA No.1110 of 2026, adopt the arguments of learned Senior Advocate Mr. Prasad Dhakephalkar. They submit that Ravindra Nivrutti Gaikwad i.e. Applicant in ABA No.1110 of 2026 (Serial No.85) and Abhishekh Narendra Thakker i.e. Applicant in ABA No.1085 of 2026 (Serial No.126), are similarly and identically placed like the co-accused Ganesh Baban Gite in the impugned FIR.

7. Mr. Prasad Dhakephalkar learned Senior Advocate, Mr. Pradeep Thorat learned Advocate and Mr. Prashant Patil for the Applicants, by relying on the order passed by this Court in Criminal Anticipatory Bail Application No. 845 of 2026, submit that the Applicants herein are similarly and identically placed and therefore pray for pre-arrest bail on the ground of parity.

8. Mrs. Geeta Mulekar and Ms. Pallavi Dabholkar, learned APP for the Respondent/State, submit that the Applicants in these Applications are similarly and identically placed to the co-accused (Ganesh Baban Gite) in the impugned FIR, who was the Applicant in Criminal Anticipatory Bail Application No. 845 of 2026. They therefore submit that the case of these Applicants can be considered on the ground of parity in view of the order dated 18 April 2026 passed in Criminal Anticipatory Bail Application No. 845 of 2026. They, however,

submit that the Respondent- State is in the process of challenging the order dated 18 April 2026.

9. Perused the records.

10. The allegations against the Applicants herein in the impugned FIR are similar to and in some respects identical to the allegations and the role assigned to the co-accused (Ganesh Baban Gite), the Applicant in Criminal Anticipatory Bail Application No.845 of 2026.

11. This Court, after considering the contentions of the prosecution in paragraphs 15 and 16 in the order dated 18 April 2026 passed in Criminal Anticipatory Bail Application No. 845 of 2026, has observed as follows :-

15. The prosecution's case is predominantly founded on documentary evidence, which is already in the custody of the investigating agency. No recovery is sought to be effected from the applicant. In such circumstances, custodial interrogation is not warranted, particularly when the applicant has expressed willingness to co-operate with the investigation and furnish specimen signatures and handwriting as required. It is brought to the notice of this Court that in respect of similarly situated co-accused, this Court has, in its writ jurisdiction, by an order dated 17 April 2026, directed that no coercive steps be taken.

16. Admittedly, while the allegations pertain to economic offences of some seriousness, it is well settled that the gravity of the offence alone cannot be decisive. In the facts and circumstances of the present case, the balance tilts in favour of protecting the applicant's liberty, particularly when the prosecution has not demonstrated the necessity of custodial interrogation. In view of the foregoing, this Court is of the opinion that the applicant has made out a case for grant of anticipatory bail. The application, therefore, deserves to be allowed, subject to appropriate conditions to ensure co-operation with the investigation."

12. Mr. Prasad Dhakephalkar learned Senior Advocate, Mr. Pradeep Thorat, learned Advocate and Mr. Prashant Patil for the Applicants submit that the Applicants shall cooperate with the Investigation in the Impugned FIR.

13. In view of the above, by adopting the reasons in the order dated 18 April 2026 passed in Criminal Anticipatory Bail Application No. 845 of 2026, the Applicants herein are entitled to pre-arrest bail on the principle of parity.

14. These Applications are allowed on the following terms:-

- a. In the event of arrest of the Applicants in CR No.64 of 2026, registered with Sarkarwada Police Station, Nashik, the Applicants 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 local sureties in the like amount.
- b. Applicants shall report to the Investigation Officer, Sarkarwada Police Station, Nashik on the 2nd Saturday of every month between 11.00 am to 12.00 pm. In the event the Applicants is required on any other day, by the Investigating Officer, the Applicants shall ensure his presence before the Investigating Officer.
- c. Applicants shall not directly or indirectly make any inducement, threat or promise to any person/s acquainted with the facts of the case to dissuade such

person/s from disclosing the facts to the Court or any police officer.

- d. Applicants shall not tamper with evidence in any manner.
- e. Applicants shall provide the Investigation Officer with his residential address along with proof, his contact number, email and must inform the Investigating Officer of any changes to this information from time to time.
- f. Applicants shall cooperate with the Investigating Officer in the process of investigation of the impugned FIR.

15. The Criminal Anticipatory Bail Application Nos. 1110 of 2026, 1080 of 2026 and 1085 of 2026 are disposed of.

16. It is clarified that the observations made herein are confined to determining the Applicants' entitlement to pre-arrest bail only.

(ASHWIN D. BHOBE, J.)