

S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1216 OF 2026

1. Rahul Sunil Dutt Sharma
 2. Kamla Devi Sharma
- ... Applicants

VERSUS

The State Of Maharashtra And Anr. ... Respondents

Mr. Kapil Agarwal a/w. H.D.Chavan, Advocate for Applicants.

Smt. Ranjana D. Humane, APP for the Respondent-State.

PSI – Mr. Ajit Divate, Sant Tukarnanagar Police Station, Pimpri Chinchwad, Pune, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 11th JUNE, 2026.

P.C. :

1. Learned counsel for the applicants, on instructions, seeks leave to withdraw the application on behalf of applicant No.1- Rahul Sunil Dutt Sharma.
2. Considering the submissions of learned counsel for the applicants, Anticipatory Bail Application is dismissed for applicant No.1.
3. The applicant No.2 is apprehending arrest in Crime No. 566 of 2025 registered with Sant Tukarnanagar Police Station, Pimpri-Chinchwad, for the offences punishable under Sections 318(4), 338, 336(3), 340(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short

S.S.Kilaje

“BNS Act”).

4. It is alleged that in spite of the stay order of Civil Judge Senior Division, Pune, the applicant No.1 and co-accused executed agreement to sale of the property of Mr. Chandrakant Raut by impersonating him in the name of applicant No.1. Thereafter, applicant No.1 and applicant No.2 mortgaged the said property with Punjab Housing Finance Ltd. and obtained loan of Rs.75 lakhs. It is alleged that applicants did not repay the loan amount. Hence, the loan account became NPA. It is alleged that applicant No.2 who is mother of the applicant No.1 is co-applicant for the said loan account.

5. It is contention of learned counsel for applicants that main allegations are against the applicant No.1. Agreement to sale was in his name. As bank was not sanctioning loan of Rs.75 lakhs in the name of applicant No.1, she was added as co-applicant and she has no role in the present crime. She is lady, aged 53 years. Her custodial interrogation is not required and requested to allow the application.

6. It is contention of learned APP that applicant No.2 is the mother of applicant No.1. She is co-applicant in the loan obtained by mortgaging of land which was transferred in the name of applicant No.1 by impersonating the original owner. It shows her involvement in the crime. Her custodial interrogation is required and requested to reject the

S.S.Kilaje

application.

7. I have heard both the learned counsel. Perused FIR and documents produced on record. It appears from record that the land of first informant was transferred in the name of applicant No.1 and role of the applicant No.2 is that she was co-applicant while obtaining the loan from Punjab Housing Finance Ltd. There are no specific allegations against applicant No.2 in the FIR that she was involved in conspiracy of transferring the land. Considering this fact, her custodial interrogation is not required and I pass following order.

ORDER

- i. In the event of arrest of applicant No.2 i.e. Kamla Devi Sharma in connection with investigation of Crime No. 566 of 2025 registered with Sant Tukaramnagar Police Station, Pimpri-Chinchwad, the applicant No.2 shall be released on bail on executing a P. R. Bond in the sum of Rs.30,000/-with one or two solvent sureties in the like amount.
- ii. The applicant No.2 shall attend the concerned police station as and when required.
- iii. The applicant No.2 shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

S.S.Kilaje

- iv. The Trial Court shall not be influenced by the observations made in this order and shall decide the matter on its own merits and in accordance with law.
- 8. The Anticipatory Bail Application of applicant- Kamla Devi Sharma, is allowed in the aforesaid terms and is accordingly disposed of.
- 9. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)