

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

ANTICIPATORY BAIL APPLICATION NO. 1246 OF 2026

Sachin Ramakant Waghmare : Applicant.
Versus
The State of Maharashtra : Respondent.

Mr. Harshad Palwe for the Applicant.
Mr. V B Konde-Deshmukh, APP for the Respondent/State.
PSI Sudam Sangale, CBU-I, Nashik City, present.

CORAM : ASHWIN D. BHOBE, J.

DATED : 07 MAY 2026

PC:-

1. Heard Mr. Harshad Palwe, learned Advocate for the Applicant and Mr. V B Konde-Deshmukh, learned APP for the Respondent/State.

2. The Applicant in this Application, who is the purchaser of the property situated at Adgaon Village, District Nashik, before this Court, seeks pre-arrest bail in connection with Crime No. 64 of 2026 registered at the Sarkarwada Police Station, Nashik (FIR), for offences punishable under Sections 335, 336(2), 336(3), 337, 338 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. 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.

4. Mr. Harshad Palwe, learned Advocate for the Applicant, submits that the allegations against the Applicant herein are similar and identical to the allegations as made against Ganesh Baban Gite, Ravindra Nivlruutti Gaikwad, Vikram Digvijay Kapadia and Abhishek Narendra Thakker who are the co-accused in the FIR. He submits that on identical facts, the said four co-accused have been released on anticipatory bail by this Court. He relies on the orders passed by this Court (at page nos. 98 to 118 of the paper book of this Application). He, therefore, prays bail for the Applicant on the ground of parity.

5. Mr. V B Konde-Deshmukh for the Respondent/State, in all fairness, states that the allegations against the Applicant herein and the allegations against the four co-accused, who have been released on bail by this Court, are similar and identical. He, therefore, submits that the case of the Applicant can be considered on the grounds of parity.

6. Perused the records.

7. The involvement of the Applicant in the crime which is the subject matter of the FIR is similar and identical to the involvement of Ganesh Baban Gite, Ravindra Nivlruutti Gaikwad, Vikram Digvijay Kapadia and Abhishek Narendra Thakker as rightly submitted by Mr. Harshad Palwe, learned

Advocate for the Applicant and Mr. V B Konde-Deshmukh, learned APP for the Respondent/State.

8. Mr. Harshad Palwe, learned Advocate for the Applicant submits that the Applicant shall cooperate with the Investigation in the Impugned FIR.

9. In view of the above, on the principle of parity, the Applicant is entitled to pre-arrest bail on the principle of parity.

10. This Application is allowed on the following terms:-

- (a) In the event of arrest of the Applicant in CR No.64 of 2026, registered with Sarkarwada Police Station, Nashik, the Applicant 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) Applicant 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 Applicant is required on any other day, by the Investigating Officer, the Applicant shall ensure his presence before the Investigating Officer.

- (c) Applicant 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.
- (e) Applicant shall not tamper with evidence in any manner.
- (f) Applicant 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.
- (g) Applicant shall cooperate with the Investigating Officer in the process of investigation of the impugned FIR.

11. The Criminal Anticipatory Bail Application No. 1246 of 2026 is disposed of.

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

(ASHWIN D. BHOBE, J.)