



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
: NAGPUR BENCH : NAGPUR.

CRIMINAL APPLICATION [ABA] NO. 65 OF 2026

MANJOT SINGH S/o MANGALSINGH SOHI

VERSUS

STATE OF MAH., THRU. P.S.O., P.S., MOUDA, DIST. NAGPUR

Office Notes, Office Memoranda of Coram,
appearances, Court's Orders or directions and
Registrar's order

Court's or Judge's Order

Mr. A. K. Bhangade, Advocate for the applicant
Mrs. H. N. Prabhu, A.P.P. for the non-applicant/State.

CORAM : M. W. CHANDWANI, J.

Order Reserved on : February 11, 2026

Order Pronounced on : February 16, 2026

1. Heard Mr. A. K. Bhangde, learned counsel appearing on behalf of the applicant and Mrs. H. N. Prabhu, learned A.P.P. appearing on behalf of the State.

2. The applicant is apprehending arrest in connection with Crime No. 841/2023 registered with Police Station, Mouda, Dist. Nagpur for the offences punishable under Sections 464, 465, 468, 471 of the Indian Penal Code, 1860.

3. A report came to be lodged by one Kalpesh Kudtarkar that he works as a RCU Manager with Reliance General Insurance Co. Ltd. (for short "the Company.") It is stated that a summons was received by his Company on 03.08.2022 from the District and Sessions Court, Nagpur in Motor Accident Claim Petition No. 507/2022 filed by one Smt. Lokeshwari Hemkumar Sahu in respect of an

accident which occurred on 29.04.2022 within the jurisdiction of Mouda police station, in which her husband Hemkumar Sahu died. Consequent to this, crime No. 281/2022 came to be registered with Mouda Police Station for the offences punishable under Sections 283, 338, 304-A of the Indian Penal Code and Section 134, 177 of the Motor Vehicles Act, 1988. In the claim petition, the Company was shown as an insurer of the Truck bearing registration No. NL-02/Q-5384. Insurance policy of the truck was produced before the Investigating Officer.

4. The case of the Company is that the policy is fake and was never issued by it. It is alleged that in order to deceive the Company, a fake policy has been prepared by the owner of the truck. When the original owner of the said truck namely Avtarsingh Sindhu was located, he informed that he had sold the said truck to the present applicant on 28.05.2021. The applicant was called for interrogation, but he failed to appear and rushed to the Sessions Court for anticipatory bail, which came to be rejected. Therefore, the applicant is before this Court.

5. The contention of the learned counsel for the applicant is that he is not responsible for any offence. According to him, the truck owner was Avatarsingh Sindhu and therefore, he is the person who should be held responsible. According to him, there is a delay in lodging the report. Learned counsel for the applicant further

submits that all the offences are punishable with imprisonment upto 7 years only. Therefore, in wake of the decisions in the case of ***Arnesh Kumar .vs. State of Bihar and another***, reported at ***(2014) 8 SCC 273*** and ***Satender Kumar Antil .vs. Central Bureau of Investigation and another***, reported at ***(2022) 10 SCC 51***, for an offence punishable with imprisonment upto seven years, police officers must not arrest automatically and if arrest is made, reasons have to be recorded mandatorily.

6. The case diary shows that Avatarsingh Sindhu had produced the agreement to sell of the said truck. It is to be noted here that the said truck was never meant to be used on the road for any purpose, since it was a scrap truck, but still it was used on the road by the applicant. The agreement reveals that on the date of the accident, the applicant was the owner of the said truck, which was not insured. Only to avoid the liability of the claim, he prepared a fake policy and supplied a copy of the same through his man Sandeep Dhillon, who handed over the same to the Investigating Officer in Crime No. 281/2022 in respect of the said accident. Thus, *prima facie*, the applicant appears to be involved in the crime. The effective investigation with regard to preparation of forged documents is to be conducted. Therefore, the custodial interrogation of the applicant is necessary.

7. There is no dispute about the legal position as

enunciated in *Arnesh Kumar (supra)* and *Satender Kumar Antil (supra)*. However, it is not the question here whether the Investigating Officer has decided to arrest the applicant or not. The applicant is apprehending arrest and has approached before this Court for anticipatory bail. Considering the nature of offence and allegations against the applicant, in my view, the applicant cannot be protected by granting the extraordinary relief of anticipatory bail.

8. Accordingly, the criminal application is rejected.

(M.W.Chandwani, J.)

Diwale