



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (ABA) NO. 238 OF 2026

(Roopkumar Bhimrao Kamble @ Kamat Vs. State, thr PSO, PS Beltarodi, Nagpur, Dist.
Nagpur)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. A.P. Barahate, Advocate for applicant.
Mr. N.R. Rode, APP for non-applicant / State.

CORAM: RAJNISH R. VYAS, J.

DATE: 20.04.2026

Heard.

2. The original accused no. 2 Rupeshkumar has prayed for anticipatory bail in connection with Crime No. 578/2025, registered with Police Station, Beltarodi, Nagpur, District Nagpur, for offences punishable under Sections 61, 316, 318 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. In short, it is the case of the informant named Ms. Jyoti Bankar that she along with one Shivani Dilip Besekar had purchased a plot No. 661 from one Ms. Sunanda Bhujang Kamble on 4.3.2021 by way of registered sale deed for valuable consideration of Rs. 16,00,000/-.

4. The informant along with her sister then started construction in the month of April 2024 on the aforesaid plot, at which time, one Ms. Pradnya Mate, the daughter of original accused no. 1 came and asked to stop the construction on the ground that the property belongs to her mother. As the relevant documents were not shown by Ms Pradnya to the informant, the construction continued.

5. The said Pradnya Mate then filed a civil suit against her father Mr. Bhimrao Kamble and due to the order passed by the Civil Court, construction was stopped.

6. It was alleged in the FIR that Mr. Bhimrao Kamble has executed registered sale deed regarding aforesaid plot in favour of Ms. Sunanda on 21.4.2019. At that time, Bhimrao executed an affidavit stating he and his son i.e. applicant are the only legal heirs of Indu Kamble. It was alleged in the FIR that while selling the property, Bhimrao did not disclose the names of other legal heirs also. The informant had then filed the proceedings before the jurisdictional Magistrate which was decided on 15.10.2025. The learned counsel for the applicant has submitted that as the informant was found cheated since the names of other legal heirs were not disclosed, criminal law was set in motion.

7. The learned counsel for the applicant submitted that the dispute in the matter is purely of civil nature and further no specific role is assigned to the applicant. He submitted that the affidavit stating name of the legal heirs was in fact executed by his father and he is not signatory.

8. Per contra, the learned APP has submitted that the fraudulent act is apparent on record as the names of other legal heirs were not disclosed.

9. With able assistance of the learned counsel for respective parties, I have gone through the record. The property was transferred in favour of the informant by way of the registered sale deed by the original accused no.1 and not by the present applicant. The affidavit disclosing name of legal heirs is also not signed by the present

applicant. The civil suit and other proceedings are already pending between the parties. As such, the applicant has made out a prima facie case. The applicant has also attended the concerned police station as directed by this Court while granting ad interim anticipatory bail on 30.3.2026.

In view of the matter, following order is passed:

ORDER

- i) The application is allowed and disposed of.
- ii) In the event of arrest in connection with Crime No.578/2025, registered with Police Station, Beltarodi, Nagpur, for the offences punishable under Sections 61, 316, 318 and 3(5) of the Bhartiya Nyaya Sanhita, 2023, the applicant be released on bail on furnishing a PR bond of ₹ 55,000/- (Rupees Fifty Five Thousand) with one solvent surety in the like amount.
- (iii) The applicant shall not tamper with the prosecution evidence and shall not threaten the prosecution witnesses.
- (iv) The applicant shall not leave the India without prior permission of the Court.
- v) The applicant shall cooperate investigating agency and attend the Police Station as and when called.

(RAJNISH R. VYAS, J.)

Belkhede, PS