



IN THE COURT OF ADDITIONAL SESSIONS JUDGE, CHANDRAPUR
Mis.Cri.Appln.No. 298/2026

Diwakar s/o. Lachmnaji Dummewar+1] Applicants/Accused

V/s.

State of Maharashtra through	]	Respondent
PSO, Police Station, Mul	]	
Tah. Mul, Dist. Chandrapur.	]	

Order Below Exh.01

The applicant has made this application u/s.482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for seeking anticipatory bail.

2] The facts in brief, for making this application, are as follows :

On 10.05.2018 the informant had purchased an agricultural land bearing survey no. 176, admeasuring 3.27 HR situated at mouza Tekadi for a consideration of Rs. 12,10,000/- vide registered sale-deed from the applicants/accused. Thereafter, the informant had applied for mutation of his name in respect of the said land in government record. That time, the informant came to know that the said land belongs to government. Thus, the informant further came to know that the applicants/accused have prepared some forged document in respect of the said land and shown their ownership over it and by using those fabricated document, they have sold that land to him. Therefore,

regarding the aforesaid cheating and forgery, on 23.10.2023 the informant gave a report to Mul police station against applicants/accused.

3] On that report, the Officer In charge of the aforesaid police station has registered a crime bearing No. 394/2023 for the offence punishable u/Ss. 120-B, 406, 420, 468, 409 and 471 r/w section 34 of IPC against the applicants/ accused. The aforesaid offence is non bailable therefore there is an apprehension to the applicants/accused that police may arrest them at any moment. Thus the applicants/accused made this application for seeking pre-arrest bail.

4] The learned Advocate Mr. R. I. Khan for applicants/accused submits that, applicants/accused have not committed the alleged crime and they are falsely implicated in it. He submits that, the aforesaid land was owned and possessed by a person namely Banduji Dhonduji Shende and he had gifted that land to the applicants/accused by way of gift-deed dated 09.10.2004. He submits that, in 7/12 extract the aforesaid land was entered in the name of Banduji Dhonduji Shende and thereafter the applicants/accused have mutated their name in 7/12 extract. He submits that, while taking the said land, the applicants/accused were not aware that the said land belongs to the government. He submits that the applicants/accused have not committed any forgery or cheating. He submits that, material investigation of crime is completed and for further investigation, if any, custody of applicants/accused is not required to I.O. He submits that the applicants/accused having no criminal antecedents. He submits that the applicants/accused is ready to abide by all the terms and conditions

imposed by the court, if anticipatory bail granted to them. He prayed for grant of anticipatory bail to the applicants/accused.

5] The I.O. and learned APP for the State have filed their say to the anticipatory bail application. The learned APP Mr. S. B. Nagpure for the State submits that, nature of the offence is serious and during the investigation sufficient evidence collected by Investigating Officer against the applicants/accused. He further submits that, there is prima-facie material came on record to show that the applicants/accused have committed the offence alleged by the prosecution. He submits that if anticipatory bail is granted to applicants/accused, then there is strong possibility that they may abscond and will not be available for further investigation of crime or at the time of trial. He prayed for rejection of the anticipatory bail application.

6] Perused the anticipatory bail application and say thereon. Heard Ld. Advocate for the applicants/accused, Ld. APP for the State and I.O. The allegation against applicants/accused is that, by preparing forged documents and using them as genuine, they have sold government land to the informant and thereby committed the offence of forgery and cheating. The submission of the Ld. Advocate for the applicants/accused is that, the applicants/accused were not aware about the status of the land in question. He submits that, the said land was gifted to the applicants/accused and by way of gift-deed they got ownership over it. He submits that, at the time of execution of gift-deed, the name of donor was entered in 7/12 extract of the said land and thereafter applicants/accused have mutated their name. He submits that, at the time of selling of the said land, the

applicants/accused were unaware that the said land is government land. He submits that, the applicants/accused have not prepared any forged documents and also not committed any cheating. It comes to my knowledge that, after registration of crime, on several times the applicants/accused have attended the office of IO and assisted him in the investigation of crime. The IO has collected all relevant documents from the possession of applicants/accused. Thus, there is less chances that, the applicants/accused may tamper with prosecution evidence by destroying the relevant documents, if anticipatory bail granted to them. There is also less possibility that applicants/accused may abscond and will not be available for further investigation of crime or at the time of trial, if anticipatory bail granted to them. The material investigation of crime is completed and considering the nature of crime, custody of applicants/accused may not be required to IO for the purpose of investigation. Thus, I find sufficient reasons to grant anticipatory bail with conditions. Hence, I proceed to pass following order.

ORDER

- 1] The Anticipatory Bail Application is allowed.
- 2] In the event of arrest in Crime No.394/2023 for the offence punishable u/Ss. 120-B, 406, 420, 468, 409 and 471 r/w section 34 of IPC registered with Police Station, Mul, Ta. Mul, Dist. Chandrapur, applicants Diwakar s/o. Lachmnnaji Dummewar and Shamlal s/o. Parmanand Keshwani be released on bail on furnishing PR. Bond in the sum of Rs.25,000/- each (Rupees Twenty Five Thousand Only) with one surety in the like amount, on following conditions :
 - a) They shall make themselves available for the purpose of investigation of aforesaid crime and assist the Investigating Officer in the investigation of crime.

- b) They shall not tamper with the prosecution evidence nor hamper the investigation in any manner.
 - c) They shall attend the concerned police station on every Monday in between 11:00 a.m. & 1:00 p.m. for next one month.
 - d) They are directed to furnish the details of their present and permanent residential address and the address of their one relative along with mobile number to Investigating Officer.
- 4] Inform the concerned police station accordingly.

Chandrapur
Date :- 01.07.2026

(P. M. Gupta)
Additional Sessions Judge,
Chandrapur