

MHJN010005692026



**IN THE COURT OF ADDITIONAL SESSIONS JUDGE-2, JALNA
CRIMINAL BAIL APPLICATION NO.178 OF 2026**

Feroz Ibrahim Beg Mirza

.... Applicant/accused

V/s.

The State of Maharashtra

.... Respondent/Prosecution

Appearance :

Shri.A.B.Pathan, the learned advocate for the applicant

Shri.B.V. Ingle, the learned In-charge D.G.P for the State

Shri.R.R.Patil, the learned advocate for the informant/intervener

ORDER BELOW EXH.1
(Delivered on : 15.04.2026)

. The applicant/accused has preferred application under the provision of Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as the “BNSS” for the sake of brevity), apprehending arrest in Crime No.74/2026 registered with Chandanzira police station under Sections 420, 465, 468, 471 of the Indian Penal Code (hereinafter referred to as the “IPC” for the sake of brevity).

02. As per the applicant/accused, one Maimunabee lodged complaint on 26.02.2026 contending that applicant/accused is her son-in-law. She was having a shop in survey No.49 admeasuring 715 square foot on main road Chandanzira. She has given the shop to the applicant/accused for running it since four to five years without any consideration. The applicant/accused was running mobile repair shop in that place. Before about two to three months, the informant learnt that the applicant/accused is going to sale the shop. She informed her husband, who went to the office of Mahanagar Palika and inquired. It was found that the

applicant/accused has executed sale letter on 10.06.2021 on Rs.100/- bond with forged signature of informant. He has entered his name in the record. He has also filed application to enter his name on the shop by filing bogus no objection of the informant, which was cancelled after application filed by husband of informant and the entry of informant was confirmed. Hence, complaint is filed.

03. As per the applicant/accused, he is falsely implicated in the offence. He got married to the daughter of informant, who is Police Constable, posted in LCB Jalna. Since she was residing at Jalna, he was also residing here. He started the mobile shop, which he purchased as he wanted to obtain shop registration. He was paying all the taxes. In the meanwhile there were some difference between him and his wife and therefore, his wife and informant objected his ownership over the shop and filed the compliant.

04. The applicant/accused contends that since 2010, he is running the mobile shop by obtaining registration, Shop Act licence. Due to his difference with his wife, and on her instigation, this complaint is filed. Nothing is to be recovered at the hands of this applicant/accused. The applicant/accused contends that he is ready to abide with terms and conditions of bail, if imposed on him.

05. The prosecution resisted the application by filing say at Exh.12. It is contended that the offence is serious in nature. The applicant/accused is involved in conspiracy to cheat and defraud the informant in systematic manner by fabricating documents. Investigation is in progress. As per the prosecution, in case applicant/accused is released on bail, he will abscond or threaten the witnesses. Hence, application is sought to be rejected.

06. The informant resisted the bail application by filing say vide Exh.08. She reiterated all the contents of his complaint. She further contended that, the applicant/accused is her son-in-law and her daughter is working in the Police Department as Police Head Constable. For livelihood of the applicant/accused, she gave one shop owned by her to the applicant/accused. However, applicant/accused published an advertisement to sell the said shop. She also got knowledge that on the basis of forged documents, the applicant/accused get mutated his name with regard to disputed shop in the records of Municipal Council. Therefore, the informant took necessary legal steps to secure her possession over the disputed property and therefore, as a counter-blast, applicant/accused abused and threatened the daughter of informant. Thereafter, the applicant/accused and his brother created ruckus at police station. The applicant/accused is having possession of original copies of forged documents and there is possibility that he may be receive support of other individuals in forging documents and therefore, his custodial interrogation is necessary. Lastly, she prayed to rejected the bail application.

07. Heard learned advocate Shri.A.B.Pathan for the applicant/accused, the learned In-charge D.G.P Shri.B.V. Ingle for the State and Shri.R.R.Patil for the informant. Perused the copy of FIR and police papers submitted by the prosecution. The informant filed written arguments vide Exh.15.

08. The learned Counsel for the applicant/accused submitted that there is delay of about two years for filing the complaint which is unexplained. The entry of the applicant/accused is cancelled by the Municipal Corporation. Nothing is to be recovered at the hands of this applicant.

09. The learned advocate for the informant submitted that the applicant/accused has not filed disclosure in his application in view of the case of **Zeba Khan Vs. State of UP in 2026 SCC OnLine SC 188.**

10. From the reply of the prosecution and police papers it is seen that the dispute is entirely civil in nature. Already the documentary evidence collected by the Investigating Officer. Nothing more is shown to be recovered or discovered at the hands of this applicant/accused, for which, his custodial interrogation would be required. It is not the case of the prosecution that the applicant/accused is having criminal antecedents, which he has failed to disclose. The applicant/accused has shown willingness to cooperate the investigation. The apprehension of the prosecution can be taken care of by imposing stringent conditions on the applicant/accused while granting him bail. Hence, I pass the following order: -

ORDER

- 1) Criminal Bail Application No.178/2026 is allowed.
- 2) In the event of arrest of the applicant/accused **Feroz Ibrahim Beg Mirza**, in Crime No.74/2026, registered with Chandanzira Police Station, he be released on PB. and S.B. of Rs.25,000/-(Rupees Twenty-five Thousand only) with one or two sureties in the like amount, on the following conditions:-
 - a) The applicant/accused shall appear before at Police Station Chandanzira, on alternate Wednesday of every month between 01.00 p.m. to 04.00 p.m. till filing of charge-sheet.
 - b) The applicant/accused shall not contact the informant or witnesses in any manner.
 - c) The applicant/accused shall not tamper with the evidence.

- d) The applicant/accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of this case so as to dissuade them from disclosing such facts to the Court or the police officer.
 - e) Breach of any condition will amount to cancellation of anticipatory bail forthwith.
- 3) Criminal Bail Application No.178 of 2026 stands allowed and disposed of accordingly.

(Dictated and pronounced in open Court).

Date: 15.04.2026

(NAZERA S. SHAIKH)
Additional Sessions Judge-2
Jalna.

CERTIFICATE

I affirm that the contents of this PDF file are word to word as per original.

Name of Stenographer	: PS.Tayade
Name of the Court	: Court of Addl. Session Judge-2, Jalna
Date of PDF	: 15.04.2026

Stenographer