

MHND010012392026



**IN THE COURT OF ADDL. SESSIONS JUDGE-2, NANDED AT
NANDED**

(Before : Shri. T.S. Solankar)

Cri. Bail Appln. No. 420/2026

	Dr. Shahina Jabeen W/o. Faisal Bin Ali, Age 54 yrs., Occ. Medical Practitioner, R/o. Itwara, Nanded.	APPLICANT
1)	The State of Maharashtra, Through Nanded Rural Police Station, Nanded.	... RESPONDENTS
2)	Faisal Bin Ali s/o. Ali Bin Amar, Age 50 yrs., Occ. Business, R/o. Chauphala, Nanded.	

Appearance:

Ld. Adv. S.M. Chaoosh, for the applicant/accused.

Addl. PP Mr. P.V. Bulbule, for respondent no.1/State.

Ld. Advocate Mr. A.B. Shahrukh for respondent no.2./informant

ORDER BELOW EXH. 1

(Date : 13.07.2026)

By this application the applicant has sought pre-arrest bail under Section 482 of BNSS, 2023 in connection with Crime no. 56/2026 registered with Nanded Rural Police Station, Nanded for the offences punishable under Sections 420, 464, 465, 467 and 471 of the Indian Penal Code, 1860.

2. It is the case of prosecution that, the applicant/accused herein second wife of informant involved in procuring

false and bogus Hibanama dated 03.07.2017 and subsequent correction Hibanama dated 01.02.2018 and on the basis of the same mutated her name to the house plot situated at Nanded. Hence, it is alleged that the accused cheated informant.

3. Heard. Learned advocate Mr. S.M. Chaoosh for the applicant and Learned APP Mr. P.V. Bulbule for the State and learned advocate Mr. A.B. Shahrukh for the informant. Perused application and entire record of the case.

4. Learned advocate Mr. S.M. Chaoosh for the applicant argued that the FIR is false, a civil suit is filed in respect of house plot by the informant and there are series of litigations between the informant and the applicant pending for consideration. He further submitted that, the applicant is doctor by profession. She is old aged lady. She owns and possesses properties both movables and immovable. She is having son and daughter who are MBBS degree holders. She is having deep roots in the society. She is suffering for various ailments and medical conditions. The dispute is of civil nature. The applicant has not misused interim protection. Accordingly, prayed to allow the application.

5. *Per contra*, learned APP Mr. P.V. Bulbule for the State contended that, the applicant has forged the signatures of the informant. She prepared bogus Hibanama dated 03.07.2017 and subsequent correction Hibanama dated 03.01.2018 in her favour posing to be executed by the informant. By mis-personation, she made an application on 15.05.2018 to the office of Superintendent of Land Record, Nanded to record her name to

the suit plot. Initially, the police had taken her into custody, but on false pretext of chest pain she was admitted in hospital, however, thereafter, ad-interim bail was obtained. The alleged forged documents have to be seized at the instance of the applicant. Hence, her custodial interrogation is very much necessary. She has not cooperated with police during interim protection. Accordingly, prayed to reject the application.

6. Next to this, learned advocate Mr. A.B. Shahrukh for the informant had placed on record say of the informant below Exh-18. Despite opportunity did not remain present and argue the matter. All averments made in the application are denied. It is also stated that, the dispute is not of civil nature. Due to filing of divorce petition prior in time there was no question of having good relationship with the applicant. The applicant forged signatures of the informant and procured illegal documents. The documents are not public hence, that would only be recovered from the applicant only. Her custodial interrogation is very much necessary. If her application is not rejected then the investigation would be paralyzed. There is sufficient evidence and material to show involvement of the applicant. Hence, prayed to reject the application.

7. I have taken into account the submissions and contentions of both parties. There is no dispute that, the applicant is the second wife of the informant and they having two children. It is also not disputed that, she and her children are also doctors by profession. It is also not is dispute that, there are serious of

litigations between them. Some of them went in favour of the applicant and some of them went in favour of the informant. The applicant was granted ad-interim protection on 06.05.2026.

8. The documents placed on record shows that, the applicant got married with the informant on 25.05.2016. The Hibanama appears to have been executed/prepared on 03.07.2017 and correction Hibanama on 03.01.2018. On the basis of the same, on 15.03.2018, her name was mutated. On 05.01.2023, the informant filed petition against the applicant for grant of decree of divorce before Ld. Family Court Nanded which is pending. It further appears that, on 07.01.2023, the informant instituted Spl. C.S. No. 07/2023 in which the applicant has been restrained from alienating the house plot till disposal of suit. Subsequently, the informant had filed RTS Appeal before learned Sub Divisional Officer, Nanded (SDO) with prayer to condone delay caused in challenging mutation effected in favour of the applicant, but same is rejected. The informant then preferred Second RTS appeal but that also got dismissed. The informant also filed some applications against applicant and others for taking action.

9. In this background, if the case of the applicant for grant of anticipatory bail is considered then, it appears that, the alleged forged documents in question are prepared in the year 2018. The informant came to know about the same in the month of December, 2022 and, hence he had instituted Spl. C.S. No. 07/2023. In said suit on 03.07.2025, the Ld. CJSD Nanded has

restrained the applicant from alienating the suit property. Record further shows that, in said suit, the informant had filed application below Exh-13 seeking direction to the applicant to produce original Hibanama and corrected Hibanama, however, the applicant i.e. defendant therein has stated that, she is not having the same with her.

10. Admittedly, the informant got knowledge of said Hibanama in the month of December 2022, however, the FIR is registered on 09.01.2026. There appears to be an inordinate delay of almost 3.6 years in lodging FIR despite informant's prior knowledge in the month of December, 2022 about alleged forged documents. There is no explanation in FIR as to why such huge delay has been occurred when the informant was involved in various proceedings and was having prior knowledge. Therefore, in my view, the accusations made in the FIR revolve around civil dispute. I further find that the FIR might have been registered to score the civil dispute.

11. Record further shows that, the applicant is a doctor by profession and her son and daughter are also doctors. The medical papers placed on record further boost the contention of the applicant that, she is suffering from various ailments. The investigating agency can seek production of documents from concern District Superintendent, Land Records, Nanded. Moreover, as per submissions for learned advocate for the accused, the matter before Civil Court is kept for leading secondary evidence. It is clearcut stand of the applicant therein that, the

original documents are with the informant. I further find that, it is nowhere case of the investigating agency that, applicant will abscond or abuse the process of bail. If applicant gets arrested, then, there is possibility of her reputation spoil and unnecessary harassment at the hands of police. Further, she is having permanent place of abode at Nanded. Even there is no possibility of alienation of the house plot due to restraining order passed by the Ld. Civil Court. Hence, I do not find any need of custodial interrogation. Accordingly, the applicant has made out *prima-facie* case for grant of anticipatory bail. In the result, I proceed to pass following order.-

ORDER

1]	The application is allowed.	
2]	In the event of arrest of the applicant Dr. Shahina Jabeen W/o. Faisal Bin Ali , in connection with Crime No.56/2026 registered at Nanded Rural Police Station, Nanded for the offences punishable under sections 420, 464, 465, 467, 471 of the Indian Penal Code, she be released on anticipatory bail on furnishing P.R.bond of Rs. 15,000/- and surety in the like amount on following conditions:-	
	(a)	The applicant shall attend Nanded Rural Police Station on every Sunday between 10.00 a.m. to 2.00 p.m. till the filing of charge-sheet.
	(b)	The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of the case so as to dissuade him from disclosing such facts to the Court or to the Police Officer or tamper with the evidence.

	(c)	The applicant shall not commit an offence similar to the offence of which she is suspected.
	(e)	The applicant shall not leave India without previous permission of this Court.
3]	Inform concerned Police Station accordingly.	
4]	In the above terms, application is disposed of.	

Date :- 13.07.2026

Sd/-
(T.S. Solankar)
Addl. Sessions Judge-2,
Nanded.

Certificate

I affirm that the contents of this P.D.F. file Judgment are same word to word, as per the original judgment.

Name of Stenographer	:	B.R. Khindre, Steno Grade-1
Court Name	:	District Judge-2 and Addl. Sessions Judge, Nanded.
Date of Order/Judgment	:	13.07.2026
Judgment signed by Presiding officer	:	13.07.2026
Judgment uploaded on	:	13.07.2026

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