

MHNS070003242026



ORDER BELOW EXHIBIT NO.1
IN CRIMINAL BAIL APPLICATION NO.151/2026
SATANA POLICE STATION C.R.NO.607/2025
YOGESH SAJAN DEORE AND ANOTHER Vs. STATE OF MAHARASHTRA
(PASSED ON 10th DAY OF MARCH, 2026)

This application is on behalf of the applicants No.1 – Yogesh Sajan Deore and applicant No.2 Dilip Ramchandra Deore vide Section 482 of the Bhartiya Nagrik Surksha Sanhita, 2023 (BNSS) to enlarge them on bail in the event of arrest.

2. This application is strongly opposed on behalf of prosecution as per reply Exh.04.

3. Points for the determination and my findings thereon for the reasons stated below ;

SR. NO.	POINTS	FINDINGS
I.	Whether grounds are justified to release the applicants/accused on anticipatory bail vide Section 482 of the BNSS ?	Yes.
II.	What Order ?	The Application is allowed.

REASONS

4. Perused application, say filed. Heard learned advocate for the applicants/accused Shri. T.R. Band and learned A.P.P Shri. A.N. Pagare for State. Heard informant.

AS TO POINTS NO. I AND II :

BRIEF FACTS OF PROSECUTION :

5. The informant is a police personnel working in police department. His two brothers are also in police department. His father was in Military Services. His father after retirement from Military had received land from the government. After demise of father on 16.3.2024, succession entry granted and name of legal heirs are incorporated. Present applicants and accused No.3 Advocate Iqbal Kazi in connivance have forged one document of agreement to sale dated 22.12.2015 on a stamp paper of Rs.100/- and thereby mentioned land to the extent of 44 R agreed to sale. The photo of the father on the said agreement was of the year 2015 and the stamp paper was purchased for other purpose. The said document is forged.

6. Further on the basis of forged agreement to sale, applicants incorporated their name to the cultivation column with the help of revenue officer. Thus on the basis of forged

document of agreement to sale, cheated to the informant and his family. The intention of the applicants was to siphoned off the landed property.

7. On that count, the informant lodged the report dated 9.9.2025 at Police Station, Satana. The Police Station officer, Satana registered Crime No.607/2025 for the offence under Section 420,465,468,471 read with section 34 of the Indian Penal Code against present applicants and other accused.

NOTICE TO VICTIM :

8. In the light of directions of Hon'ble Apex court in the case of **Jagjeet Singh V/s. Ashish Mishra @ Monu in Criminal Appeal No.632/2022 Dated 18.04.2022**, a victim is entitled to be heard at the stage of adjudication of bail application of accused. Relying upon these observations, the notice is issued to the informant. The informant is appeared and he has objected for pre-arrest bail to the applicants.

WHETHER GROUNDS OF PRE-ARREST BAIL ARE MADE OUT ?

9. At the outset, it is not in dispute that the father of informant was in Military Services and after retirement, his father had got land Gat No. 176-A area 2 H 59 R at village Virgaon as a landless person. The father of informant expired on

16.3.2024. After demise of father of informant, name of informant and other legal heirs are incorporated to the revenue record. The informant and his two brothers are in police department posted at Nashik Rural.

10. Learned advocate of applicants argued that before registration of this crime on 9.9.2025, inquiry of cultivation was conducted by the revenue officer. The said inquiry was concluded by judgment dated 2.5.2025. During the said inquiry, the panchnama was drawn by actual visit to the land. It is transpired to the revenue officer that applicants are in cultivation of the land to the extent of 44 R as such the name of applicants are incorporated to the column of cultivation.

11. On the backdrop of this submission and on perusal of the order of Tahsildar titled as Judgment dated 2.5.2025, I find substance in the submission of learned advocate of applicants. During course of said inquiry, this document of agreement to sale was referred by the applicants as to their occupation to the land. On that count the informant and his brothers though working in police department have not chosen to file police complaint immediately as to the forgery of document. Informant replied that he has lodged report to police station Satana then he was at police station at Nashik and then lastly cognizance was taken after informing to the senior officer.

12. Even assuming this submission, these applicants have not suppressed this document of agreement to sale. They have produced before the revenue officers. Apart from this, the said document of agreement to sale was executed in between the uncle of applicants on one side and the father of informant on other side. The uncle of applicants further consented to these applicants of the said agreement to sale in lieu of consideration. Therefore, it establishes the occupation of applicants over the property to the extent of 44 R land.

13. The revenue officer has ordered for entry as to the occupation of applicants to the column of cultivation vide judgment dated 2.5.2025. The crime is registered subsequently on 9.9.2025. The registration of crime was pursuant to the judgment of Tahsildar. Further these applicants have filed a suit for specific performance on the basis of agreement to sale. The summons are served to the informant and his brothers. After appearance in the said suit, present crime is booked against them. In addition to it, one more civil suit was filed by the father of informant bearing RCS No.197/2023 against these applicants for removal of encroachment of the land to the extent of 44 R.

14. Now, the father of applicants is expired. The uncle of applicants is expired. The father of informant is expired. The

wife of uncle of applicants has given consent in favour of informant after demise of uncle of applicants. On the backdrop of these facts, it appears that the present crime is of civil nature only. Since the informant is in police department as such it has given a colour of criminal case.

15. In the light of foregoing, the scope of present prosecution is limited to the extent of agreement to sale only. Initially police complaint was filed that time police station Satana has conducted inquiry wherein this agreement to sale was produced despite crime was not registered. Again the informant has taken follow up and then only crime is booked subsequently. In the light of nature of allegation, prima facie offence is not made out against applicants.

16. Therefore physical custody of these applicants with investigating agency is not required. They have no criminal antecedents. The applicants have firm roots in the society as such there is no chance of fleeing from justice. The attendance to the police station of these applicants as a condition of bail will serve the purpose of interrogation and investigation. On all these grounds, applicants deserve for pre-arrest bail. With this, I pass following order ;

ORDER

1.	The application for bail in the event of arrest vide section 482 Bhartiya Nagrik Surksha Sanhita, 2023 on behalf of the applicants No.1 Yogesh Sajan Deore and applicant No.2 Dilip Ramchandra Deore is allowed.
i)	The applicants/accused be released on bail on furnishing P.R. and S.B. of Rs.50,000/- (Rs. Fifty Thousand) each with one surety in the like amount on the following terms and conditions ;
ii)	The applicants/accused shall assist to Investigating Officer whenever called under written intimation.
iii)	The applicants/accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the accusations against them so as to dissuade them from disclosing such facts to the Court or to any police officer.
iv)	The applicants/accused shall not tamper with prosecution evidence in any manner.
v)	The applicants/accused shall attend the concerned police station on third Sunday of the month in between 11.00 a.m. to 2.00 p.m. before Investigating Officer till filing charge-sheet or further order of this Court, whichever is earlier.

2.	Inform to concerned Police Station accordingly.
	Dictated and pronounced in Open Court.

Place : Malegaon, Nashik.

Date : 10.03.2026.

**(K.G. Paldewar)
Additional Sessions Judge,
Malegaon, Dist. Nashik.**

Arguments heard on	2 nd Day of March, 2026.
Judgment/Order delivered on	10 th Day of March, 2026.
Dictated on	10 th Day of March, 2026.
Transcribed on	10 th Day of March, 2026.
Checked and signed on	10 th Day of March, 2026.

CERTIFICATE

I affirm that the contents of this PDF file Judgment/Order is same and as per the original Judgment/Order.

Name of the Stenographer : N.D. Patil,
Name of the Court : Additional Sessions Court,
Malegaon
Date of Judgment/Order : 10.03.2026.
Judgment/Order signed on : 10.03.2026.
Presiding Officer : K.G. Paldewar
Judgment/Order uploaded on : 10.03.2026.