

MHRG170003302026



**IN THE COURT OF ADDITIONAL SESSIONS JUDGE  
AT PANVEL, DISTRICT- RAIGAD**

**Criminal Bail Application No. 160/2026**

**Mansoor Umer Antuley** ---Applicant

**Vs.**

**State of Maharashtra** --- Opponent

**Appearance-**

Ld. advocate Shri. Farooque Ahmed Javed Pokar for applicant  
Ld. Addl.PP. Shri. A.R. Kadam for opponent.

**ORDER BELOW EXH. 1**

1. This is an application filed by applicant **Mansoor Umer Antuley** under Section 482 of the Bharatiya Nagrik Suraksha Sanhita, 2023 (in short “BNSS”) for grant of anticipatory bail.
2. I.O. has filed say to this application and thereby strongly opposed the application.

3. Perused application, say thereon and documents produced on the record. Heard both sides.
4. Ld. Advocate for applicant submitted that, the applicant has been falsely implicated. There is no recovery or discovery to be made from the present applicant. Custodial interrogation of the applicant is not necessary. Applicant is ready and willing to co-operate investigating agency. Applicant is ready to obey any conditions to be imposed by the Court.
5. Ld. Addl.PP Shri. A.R. Kadam submitted that offence is of serious nature. The property bearing survey No.98/3 situated at Pale Budruk, Tal. Panvel, District-Raigad was owned by informant's Predecessor Natwar Parekh. The applicant has prepared false power of attorney and notarized sale deed of Natwar Parekh. Applicant illegally put his name board on the said land. As per the standing order of Commissioner of Police, Navi Mumbai, registration of crime against the present applicant is under process. The applicant is not entitled for anticipatory bail. He has antecedents of three cases of similar nature. Considering the gravity of the offence, custodial interrogation of the applicant is necessary. Hence, prosecution prayed for rejection of anticipatory bail.

6. Perused FIR and documents placed on record. Complaint Somin Natwar Parekh filed application with Panvel Taluka police station on 02/12/2025 against the present applicant that he has prepared false notarized power of attorney and notarized sale deed in the name of complainant's father Natwar Parekh in the year 2010. There is dishonest intention on the part of the present applicant to grab property of the complainant.
7. In the present case FIR is yet not registered. However, the applicant has reasonable apprehension that he may be arrested in the crime likely to be registered on the basis of the complaint of Somin Parekh. The applicant has been served with notice under Section 41-A of the Cr.P.C. In view of law laid down by Hon'ble Supreme Court in **Gurbaksh Singh Sibbia V/s. State of Punjab, reported in 2011 (SC) (Cri.) 514**, if applicant shows that he has reason to believe that he may be arrested in non bailable offence then he can invoke section 438 of the Cr.P.C even in absence of FIR. In the present case applicant is served with notice under Section 41-A of the Cr.P.C. As per the standing order of Commissioner of Police crime is likely to be registered against the present applicant. Therefore, applicant has reasonable apprehension that he may be arrested. Hence, anticipatory bail application is maintainable. However, it has been further held in

**Gurbaksh Singh Sibbia** (supra) that, “*Anticipatory bail is a device to secure the individual's liberty; it is neither a passport to the commission of crimes nor a shield against any and all kinds of accusations, likely or unlikely*”. Therefore, the complainant has to further demonstrate that complaint is false and motivated for ulterior motive. He may be implicated with malafide intention and with the object of injuring and humiliating him. In the present case though FIR is not filed, it is alleged that applicant committed fraud upon the complainant's father and dishonestly prepared forged notarized documents of title. On the basis of the said forged documents, he is claiming title over the property in question. Documents produced on record show that the alleged documents are prepared in the year 2010. The documents purporting to be executed by complainant's father. Since the documents are unregistered prima facie it appears that no right, title or interest are transferred on the basis of unregistered documents. Fraudulent unregistered sale deed to establish title over property constitutes serious offences like forgery, cheating and fabrication of documents under Sections 420, 467, 468 and 471 of the IPC. The allegations are serious in nature. The applicant has antecedents of three cases of similar nature of offence. Hence, I am not

inclined to grant anticipatory bail. As a result, I proceed to pass following order.

**:: ORDER ::**

1. Application (Exh.1) is rejected.
2. Interim application (Exh.4 ) is also rejected.
3. Informed the concerned police station, accordingly.

Panvel,  
Dated :- 09/03/2026

(S. R. Chavan)  
Addl. Sessions Judge  
Panvel, Dist.-Raigad