

**ORDER BELOW EXH.1 IN
CRIMINAL BAIL APPLICATION NO: 34/2026
CNR NO: MHST190001052026**

Vishnu Uttam Suryawanshi

Vs.

State of Maharashtra

The applicant-accused Vishnu Uttam Suryawanshi has filed this application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for regular bail in C.R.No.11/2026 registered with Mahabaleshwar Police Station for the offence punishable under Section 335, 336, 337, 338, 339, 340 of the Bhartiya Nyay Sanhita, 2023 and also under Section 83 of the Registration Act.

2. It is contended that on the basis of the report lodged by informant Aradhana Sanjaykumar Prasad about preparing false documents, forgery of valuable record, possessing forged document and using forged document as genuine, the aforesaid crime came to be registered.

3. It is allegation of the informant that her father Nariman Firoj Nallasheth was the owner of the properties bearing S.No.37/1 – area 4 Hectare 62 R and S.No.73/1 – area 0.91 R situated at Parut. Her father Nariman died on 10.12.2020, leaving behind her as sole heir. Her father never executed

document as power of attorney etc. The accused No.1 i.e. present applicant-accused prepared false document of power of attorney holder of Nariman Firoj Nallsheth, having knowledge that the said document is false, executed sale-deed of the said properties, in favour of Popat Balasaheb Pisal (accused No.2) and it was registered before the Sub-registrar vide sale-deed No.3437/2025 dated 28.08.2025.

4. Upon such allegations, the applicant-accused is arrayed as an accused in the aforesaid crime. It is further contended that the applicant-accused is a student. He has not committed any offence. He is reputed person in the society. The alleged offence is not punishable with death or imprisonment for life. He is permanent resident on given address. He will not tamper with the prosecution evidence or threaten the prosecution witnesses. It is further contended that one another person has obtained heirship certificate by asserting that he is the only heir of deceased Nariman Nallasheth and it creates the complaint doubtful. So this application.

5. The Investigating Officer filed reply vide Exh.5. After mentioning the nature of the offence, allegations in the complaint and involvement of other co-accused, the Investigating Officer urged to reject the bail application on the grounds that, the applicant-accused is an educated

person. He is B.A.M.S. He has prepared false document of power of attorney but didn't provide the said document so as to verify his signature and thumb impression with the alleged signatures and thumb impressions on false document of power of attorney. Some accused are still absconding and are yet to be arrested. The accused has criminal antecedents of committing offence of cheating registered with Vijarpur Naka - Solapur Police Station, so also Vani-Dindori Police Station, District Nasik. There is a gang of cheaters and land-mafia. Investigation is going on. If the applicant-accused is enlarged on bail, then there is possibility of tampering the prosecution evidence and threatening the prosecution witnesses and keeping away the absconding accused out of reach of the police. So urged to reject the application.

6. The original complainant filed the written arguments vide Exh.7 and resisted this application.

7. Heard the Ld. Advocate for the applicant-accused and the Ld. A.P.P. for the prosecution at some length. Gone through the material on record.

8. The Ld. Advocate appearing for the applicant-accused submitted that the case is based on documentary evidence. All forged documents are before the Sub-registrar. No more custodial interrogation of the applicant-accused is required.

The other co-accused have been granted protection of pre-arrest bail. The applicant-accused put behind bars on 21.01.2026. The investigation is almost over. So urged to allow the application. To support his submissions, the Ld. Advocate for the applicant-accused placed reliance upon following authorities.

1. **Sanny Ambadas Madas Vs. State of Gujarath** [AIROnline 2021 Guj 1441],
2. **Shyamsundar Radhyesham Agarwal Vs. State of Maharashtra** [2026(1) ABR (Cri) 197]
3. **Kaezad Nariman Nallseth Vs. Nil** [Order below Exh.1 in Civil M.A. No.389/2023 of C.J.S.D. Pune regarding Heirship Certificate]
4. **Ranjeet Vishwasrao Kalbhor etc. Vs. State of Maharashtra** [Order of this Court in Cr.Bail No.17/2026]
5. **Ashutosh Shankarrao Kadam Vs. State of Maharashtra** [Order of this Court in Cr.Bail No. 18/2026]
6. **Popat Balasaheb Gundgal Vs. State of Maharashtra** [Order of this Court in Cr.Bail No. 25/2026]

9. Per Contra, the Ld. A.P.P. appearing for the prosecution submitted that the applicant-accused and co-accused have prepared false documents of title deeds by preparing false document of power of attorney of the deceased person. The applicant-accused is the main accused. He is well educated

and he is the master-mind of this crime. The investigation is going on. Other co-accused are still absconding. So urged to reject the application.

10. This Court carefully gone through the submissions at Bar and the material on record. The informant has specifically stated that her father Nariman Nallasheth has purchased the S.No.37/1 area – 4 Hectare 62 R and S.No.73/1 area – 0 Hectare 91 R situated at Parut by registered sale-deed executed in the year 1994. It is further stated that her father Nallasheth died on 10.12.2020. The Informant further alleged that her caretaker informed her about title of the properties in the name of another person and upon taking copies of 7/12 extract, she came to know that one person namely Vishnu Uttam Suryawanshi i.e. the applicant-accused has prepared the false document of power of attorney of her father and on the said forged document, he executed the sale-deed in the name of co-accused Popat Balasaheb Pisal.

11. The allegations in the FIR are serious. According to the prosecution, the applicant-accused and co-accused are involved in the commission of antisocial offences. There are other cases registered against the applicant-accused for the offence of cheating.

12. The allegations in the FIR are serious. By taking disadvantage of absence of the informant from the place of the said properties due to business purpose, the forged documents are brought into existence. The investigation is going on. Considering the nature of the offence, its seriousness, its gravity and its effect and the fact that the investigation is in progress, the applicant-accused doesn't deserve to be enlarged on bail.

13. The co-accused to whom the protection of pre-arrest bail has been granted are either the witnesses or identifying the parties. The role of these accused is not directly entering into the shoes of the owner of the properties. The case laws relied upon by the applicant-accused (cited supra) and the facts in the present crime are different. In the case laws cited supra at Sr.No.1 – it was regular bail application in the said matter. There was dispute about obtaining power of attorney from the father of the complainant by the accused. In the case law cited at Sr. No. 2 – there was delay of 12 to 15 years to lodge the FIR. The remaining are the orders of pre-arrest bail of the co-accused. However, this Court has already discussed about the role of present accused and other co-accused. In such circumstances, the applicant-accused is not entitled for the ground of parity. Hence, the following order.

ORDER

1. The application is hereby rejected.
2. Inform the concerned Investigating Officer.

Date:07.03.2026

(D.B.Mane)
Addl. Sessions Judge, Wai.