

IN THE COURT OF ADDITIONAL SESSIONS JUDGE, WASHIM.

Cri. B.A.No.88/2026

Akshay x State

Order below Exh.1

(Passed on 30/03/2026)

This is an application preferred under Sec.438 of the Code of Criminal Procedure and under Section 482 of BNSS for grant of anticipatory bail in Crime No.981/2025 registered for the offence punishable under Sections 3(5), 340(2), 336(3), 338, 318(4) of BNS.

2. It is prosecution story that informant is owner of disputed property about which civil suit is pending between her and Gajanan Shinde. She came to know that her plot was sold by somebody behind her back. So she obtained certified copy of sale deed and came to know that Balkrushna Gaikwad and Shobha Sawale entered in transaction. Therefore Balkrushna Gaikwad sold that property to Anil. Thereafter again that plot is sold to Laxman Wankhede. Anil again sold that plot to Tarzan. This applicant is witness for sale deed of More and Gaikwad. In such a way from 04/08/2025 till 14/11/2025 this gang sold plot to various purchasers. Therefore, informant lodged FIR on the basis of which present crime came to be registered. As the applicant is having reasonable apprehension of his arrest in non-bailable offence present application is preferred for anticipatory bail.

3. Prosecution have objected the bail application as well as informant has also objected the bail application.

4. It is argued by Ld.advocate Shri.Gawali that main accused are released on regular bail. Custodial interrogation of this applicant is not necessary. In fact this witness is also cheated by the vendor and vendee. There was no intention on his part to cheat anybody. He has not received any unlawful gain and he has not caused unlawful loss to anybody.

Therefore, they are praying for his release on anticipatory bail.

5. Ld. APP Shri.Kaloo and Ld.advocate Shri.Poddar have strongly objected for release of accused on anticipatory bail.

6. Having heard the following points arise.

| Sr. No. | Points | Findings |
|---------|---|---------------------|
| 1 | Whether the accused is entitled for anticipatory bail ? | In the Negative. |
| 2. | What order ? | As per final order. |

REASONS

As to point no.1 :

7. Admittedly, present applicant identified vendor and because of that Sub Registrar executed sale deed. If he would not have falsely identified the vendor then these transaction would not have occurred. Therefore, in fact role of this applicant is that much major at par with vendor and vendee. Offence under Sections 338 of BNS is punishable with imprisonment for life. Plot of informant is repeatedly sold for four times by committing forgery. In fact, civil suit is pending about the plot. Despite the fact it reveals that they hatched the conspiracy and committed forgery. Therefore, to my mind it is not fit case to grant anticipatory bail. Hence, I record my findings in negative and pass following order.

ORDER

Application is rejected.

(J. P. Zapate)

Additional Sessions Judge, Washim.

Date: 30/03/2026

CERTIFICATE

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

Name of Stenographer :- R.K.Pawar, Stenographer (Grade-I)

Name of Court :- District Judge-1 and Additional Sessions Judge, Washim.

Date of Judgment/ Order :- 30/03/2026

Judgment/Order signed by :- 30/03/2026
the Presiding Officer on

Judgment/Order uploaded on :- 30/03/2026