

Order On Exh. 1 in Cr. B. A. No. 1850/2024
(CNR No. MHNS010063182024)

Umesh Arvind Pujari V/s. State

The accused apprehends his arrest in **Crime No. 208 of 2024 registered at Gangapur Police Station, Nashik** for the offences punishable under **Secs. 420, 468, 471, 504, 506 r/w. Sec. 34 of the I.P.C.** and prays to be released on anticipatory bail.

2. The informant has alleged that on 06/07/2022 under threat and coercion of accused she performed marriage with him. Subsequently, the accused fabricated the marriage certificate purportedly issued by the Shriram Vivah Sanstha, Nashik declaring their marriage on 07/12/2023. The informant further alleged that the accused is defaming her taking disadvantage of this fabricated marriage certificate. Based upon information police registered instant crime and commenced investigation.

3. Present applicant is Proprietor of Shriram Vivah Sanstha, Nashik and apprehends his arrest in connection of the crime. According to him, he is Proprietor of the Shriram Vivah Sanstha, Nashik. Further he states that on 06/07/2022 the informant and accused were married in his Santha in presence of their relatives and subsequently he issued the certificate accordingly. Pursuant to registration of instant crime he has cooperated with the police and therefore needs to be granted protection from arrest.

4. The Investigating Officer has opposed the application contending that as per the allegations the accused has fabricated a false marriage certificate and is trying to defaming the informant. He further contends that the present applicant in collusion with others may have fabricated the certificate, therefore his custody may be require for further investigation.

5. The informant has opposed the application alleging that on 07/12/2023 she was under treatment in hospital and thus, the marriage certificate is false and fabricated, therefore, the application should be rejected.

6. Heard Ld. Adv. for the accused, Ld. A.P.P. for the State and Ld. Adv. for the informant at length. Perused the record.

7. At foremost it appears that the crime is not registered against present applicant till date. Also, it is clear that admittedly the applicant runs Shriram Vivah Sanstha, Nashik and has also admitted performing marriage of informant and accused on 06/07/2022. Further according to him, he has issued the certificate accordingly and at the same time he has denied fabrication of certificate related to marriage dated 07/12/2023. Further from arguments it appears that the certificate dated 07/12/2023 was submitted in an inquiry to the police by the accused himself. Thus, at this point in time it appears that the present applicant denied fabrication of certificate and at the same time states that he performed the marriage of the informant and accused on 06/07/2022 and accordingly issued the certificate at earlier date. Therefore, in these circumstances physical custody of applicant for further investigation does not seem necessary. Considering the grounds put forth by the Investigating Officer, the applicant is directed to cooperate in the investigation more particularly to provide specimen of his natural handwriting as and when directed. Hence the application is allowed.

ORDER

- 1) The application is allowed.
- 2) In the event of arrest of applicant **Umesh Arvind Pujari** in **Crime No. 208 of 2024** registered at **Gangapur Police Station, Nashik** for the offences punishable under **Secs. 420, 468, 471, 504, 506 r/w. Sec. 34 of the I.P.C.**, be released on executing

P.R. & S.B. of Rs.50,000/- with one or more surety of like amount.

- 3) The applicant shall co-operate in the investigation and shall not tamper with the prosecution witnesses.
- 4) The applicant shall attend the concerned Police Station as and when called by the Investigating Officer.
- 5) That the applicant shall not, directly or indirectly, make any inducement or the threaten or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.
- 6) That the applicant shall not leave India without the previous permission of the Court.

Nashik
22/10/2024

Jagdish M. Dalvi
Addl. Sessions Judge, Nashik.

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