

MHCC020070572026



BEFORE THE ADDITIONAL SESSIONS JUDGE,  
CITY CIVIL & SESSIONS COURT, Gr. BOMBAY.

**ANTICIPATORY BAIL APPLICATION NO.913 OF 2026**  
IN  
CR NO.24/2026, EOW, Mumbai.

**Rakesh Ravji Pawar,**  
Age 41 yrs., Occ. Freelancing job  
r/at –Room no.2, Misquitta House,  
Behind Chakala Fish Market,  
Sahar P & T Colony,  
Mumbai 400 099.

..Applicant/accused.

V/s.

The State of Maharashtra  
(CR NO.24/2026, EOW, Mumbai)  
(CR No.323/25 Bandra police station,  
Mumbai)

..Respondents.

Appearance :-

Ld. Adv. Mr Abhishek Sathe i/b Mr. Yogesh Palve for applicant/ accused.  
Ld. APP Mrs Chaitrali Panshikar a/w. Mr.A. J. Chavan for State.

**CORAM : HHJ SHRI N.G. SHUKLA,**  
**ADDITIONAL SESSIONS JUDGE,**  
**COURT ROOM No.20.**

**DATED : 13/05/2026.**

**ORDER**

*(pronounced in open Court)*

1. Applicant is apprehending arrest in C.R.No.24/2026 registered with EOW, Mumbai (CR NO.323/2025, registered with Bandra police station, Mumbai) for the offence punishable u/s. 406, 420,467, 471,120B

r/w.34 of Indian Penal Code (for short, 'IPC') and filed this application u/s. 482 of The Bharatiya Nyaya Sanhita, 2023 (for short, "BNS").

2. The investigating officer (IO) through Ld APP has filed a reply at Exh.2 and opposed the application.

3. I have heard Ld. Adv. Mr. Sathe for the applicant and Ld. APP Mr. Chavan for the State.

4. Prosecution's case in a nutshell is that, accused no.4 Abib Hussain in this crime had brought informant and her brother towards accused nos. 1 to 3 for purchase of two flats. Accused nos.1 to 3 represented the informant and her brother for sell of their two flats. After deliberations the informant and her brother agreed to purchase two flats for consideration of Rs.3.50 Crores. The informant gave token amount of Rs.1 lakh in cash to the accused no.1 and transferred Rs.1.75 Crores in the joint account of the accused nos.1 and 3. During the said period the accused no.1 shown NOC to the informant, given by the Society for sell of the flats to informant and her husband. It is alleged that, said NOC was forged. The role attributed to the applicant is that, he along with other co-accused forged said NOC for sell of the flats inspite knowing that the flat in the said Society would be sold only to the person from Christian Community.

5. It appears from the submissions and reply given by the IO that, the only allegation against the applicant is that, he had helped the co-accused Abid Hussain and Mohd. Akhtar Mohd. Issaq Shaikh for preparing the forged NOC purportedly given by the Society. Upon perusal of the say,

it appears that there is no specific evidence collected during investigation in support of the said allegation. The prosecution has relied on one statement of Abdul Fariz Khan, which is the only evidence attributing role of the applicant. However, his statement is showing that, he heard conversation amongst co-accused Mohd. Akhtr Mohd Issaq Shaikh and Abid Hussain about preparing the NOC from the applicant. Another evidence against the applicant regarding his role is preparing forged NOC is the statement of co-accused, which are inadmissible. Thus, there is no specific evidence showing prima facie case against the applicant.

6. Even if the contention of the prosecution that, the applicant had forged the NOC is accepted, his custodial interrogation is not required. Say of the police does not disclose that, the applicant is beneficiary of the amount given to accused nos. 1 and 3 or transferred into their bank accounts.

7. Ld APP argued that, the applicant was not available on the given address during his search. However, say of the IO discloses that, wife of the applicant is residing on the said address and she told that the applicant is not coming home. It is obvious that for avoiding arrest the applicant was not coming to his residential address. The applicant has placed on record copy of Leave and license agreement as a proof of his residential address. Thus, said ground raised by the prosecution for opposing the anticipatory bail has no substance.

8. Another ground raised by the prosecution is, criminal antecedent of the applicant. It appears that, total four crimes including

present one are pending against the applicant. However, except crime no.25/2026 in other two crimes anticipatory bail is granted to the applicant, wherein similar role is alleged regarding forgery of documents is levelled. Thus, said antecedents cannot be considered as hurdle to grant anticipatory bail to the applicant. Even though Ld APP argued that, original NOC is not collected in investigation but it is improbable that the original NOC would have been in the possession of the applicant as even if the case of the prosecution is accepted, the applicant would have handed over the original NOC either to co-accused Abid Hussin or to accused no.1. During their arrest, said NOC was not seized. Charge-sheet is filed against co-accused in this crime in the trial Court. For these reasons also, the anticipatory bail cannot be refused to the applicant. Considering the nature of allegations, custodial interrogation of the applicant is not required. He can be directed to give attendance to the concerned office of the IO and cooperate in investigation. In this view of the matter, I pass the following order-

### ORDER

1. Anticipatory Bail Application No.913 of 2026 is allowed.
2. In the event of arrest in C.R.No.24/2026 registered with EOW, Mumbai (CR NO.323/2025, registered with Bandra police station, Mumbai) for the offence punishable u/s. 406, 420, 467, 471, 120B r/w.34 of Indian Penal Code, applicant **Rakesh Ravji Pawar** be released on executing Personal Bond of Rs.50,000/- (Rs. Fifty Thousand only) with one or two sureties in the like amount.
3. Applicant shall not tamper with prosecution evidence and shall not directly or indirectly make any inducement, threat or promise to the informant or any person acquainted with the facts of the accusation against him so as to dissuade them from disclosing such facts to the Court or to any

police officer.

4. The applicant shall attend the office of the investigation agency as and when called by written notice by the investigating officer and co-operate in investigation.

5. Applicant/accused shall submit residential proof of his address and his contact mobile numbers and also proof of residential address and contact numbers of two close relatives to the investigating officer.

6. Anticipatory Bail Application No.913/2026 is disposed of accordingly.



( N.G. SHUKLA )

ADDITIONAL SESSIONS JUDGE,  
City Civil & Sessions Court,  
Gr. Bombay(C.R.NO.20)

Dt. 13.5.2026

Dictated (directly on computer) on 13.5.2026  
Draft given to HHJ through google-drive on 13.5.2026  
Signed by HHJ on 13.5.2026

.....

CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED  
JUDGMENT/ORDER

Name of Steno : N.V Ubale (Stenographer(Gr.1.)).  
Upload date : 13.5.2026

|                                |                                                               |
|--------------------------------|---------------------------------------------------------------|
| Name of the Judge              | H.H.THE ADDL. SESSIONS JUDGE<br>SHRI N. G. SHUKLA (C.R.No.20) |
| Date of Pronouncement of Order | 13.5.2026                                                     |
| Order signed by P.O. on        | 13.5.2026                                                     |
| Order uploaded on              | 13.5.2026                                                     |