

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**924 BAIL APPLICATION NO.1962 OF 2022**

1. FIROZ BABBU PATHAN  
2. KOMAL SIYARAM VARMA  
VERSUS  
THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mr. Jadhav Satej S.  
APP for Respondent-State : Mr. K. S. Patil.  
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**CORAM : S. G. MEHARE, J.**  
**DATE : 05.01.2023**

**PER COURT :-**

1. Heard the learned counsel for the applicants and the learned APP for the respondent-State.
2. It has been alleged against accused No.1 that he had forged the registration number of vehicle and gave it to one Mohammad Amin. He charged huge amount for converting tourist permit vehicle to private vehicle.
3. Learned counsel for the applicants would submit that the job of the applicant is only to place the documents before the RTO Officer. The RTO Officer is the final authority to make the necessary changes in the official record. Therefore, it cannot be said that the applicant has forged the office record. It was a duty of the officials from RTO to verify the chassis and vehicle

registration number. However, he being an agent and a poor man made a scapegoat. There is absolutely no evidence against applicant No.2. They are languishing in jail for sufficient period. Nothing remained to be investigated from them. They are ready to abide by the conditions if any imposed while enlarging them on bail.

4. Learned APP has strongly opposed the application. He would argue that the agents are the key persons in committing such type of fraud. The persons like applicants were the first hand informant about the vehicle numbers and its registration type. The investigation is in progress. Till this date, around 42 vehicles which have been registered on false information have been discovered. The offence is serious. Hence, it would not be safe to release the applicants on bail.

5. Having regard to the procedure for registration of the documents, finally the registration has to be confirmed and done by the officials of the RTO. Normally, the agents places the papers before the RTO Officer. They verify the vehicle and chassis numbers of the vehicle. Now-a-days, most of the registration is done online. The care must have been taken to have a password operating the online system and such passwords are given only to the officials of RTO. It may be

correct that the applicants have involved in the illegal registration of the vehicles. However, their role cannot be brushed aside. Considering the progress in the investigation, the Court is of the view that it would be inappropriate to keep the applicants behind bars. Hence, the following order :

### **ORDER**

- (i) Bail Application is allowed.
- (ii) Applicant No.1. **FIROZ BABBU PATHAN** and Applicant No.2. **KOMAL SIYARAM VARMA** be released on bail on furnishing PB. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) each with one solvent surety of the like amount each, in Crime No.395 of 2022, registered by Police Station Nandurbar City, District Nandurbar, for the offence punishable under Sections 420, 465, 467, 468, 120-B read with Section 34 of the IPC and Section 66, 66(c) of the Information Technology Act, on the following conditions :
  - (a) The applicants shall not tamper with the prosecution witnesses.

- (b) They shall attend the Police Station as and when called by the Investigating Officer on written notice till filing of the charge sheet.
- (c) They shall not involve in the similar crime.

**(S. G. MEHARE, J.)**

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