

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
CRIMINAL APPELLATE JURISDICTION.**

Criminal Application No.6065/2014.

THE STATE Of MAHARASHTRA.
VERSUS
BHAUSAHEB ARJUN BADADE.

Appearance =>

Mrs. V.A. Shinde, Additional Public Prosecutor for the State of Maharashtra.

Mr. N.B. Suryawanshi, Advocate for the Respondent.

CORAM : V.M. DESHPANDE, J.

DATE : 23rd MARCH, 2015.

Per Court :-

Heard Mrs. Shinde, learned Additional Public Prosecutor for the State and Mr. N.B. Suryawanshi, learned counsel for the Respondent.

[2] Present Application is moved for cancellation of anticipatory bail granted by the learned Additional Sessions Judge, Kopargaon, Dist. Ahmednagar dated 15th January, 2014 in connection with CR No.2/2014 registered with Police Station, Rahata, Dist. Ahmednagar for the offences punishable under Section.s. 420, 465, 468, 471 read with 34 of the Indian Penal Code.

[3] Allegations against the respondent is that he has taken the mutation entry on the basis of forged document. Admittedly, the

respondent is Village Talathi and it is his duty to take necessary mutation entries on the basis of registered document. Undisputedly, the disputed sale deed is of the year 1996. It is a registered document. The learned trial court has considered the fact that the First Information Report is lodged after considerable period and no explanation is given. First Information Report clearly shows that in the year 2011 itself the first informant got knowledge about the disputed sale-deed executed in the year 1996 and the First Information Report was lodged on 02/01/2014. Further, the disputed document is a registered sale deed and it is duty of the Village Talathi to take mutation entry on the basis of the registered sale-deed.

[4] In that view of the matter, I see no reason to interfere with the discretion exercised by the learned trial court in favour of the Respondent. Hence, present Criminal Application is rejected and same is disposed of accordingly.

[5] Needless to mention, any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case, at the time of trial.

(V.M. DESHPANDE, J.)