

Ashoklal Chotalal Mistry	...Applicant
vs.	
State of Maharashtra	...Respondent

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conditions deemed fit and proper by this Court and giving appropriate direction to the learned Magistrate to decide the application for bail at the earliest.

3. It is submitted that the applicant has lawfully entered into an agreement with first informant in order to purchase the auction property and as such had no intent to cheat him. It is submitted since apparently on the face of the agreement, it does not reveal that the applicant was entertaining to cheat and/or committing any other offence since the beginning, the request for protection be considered as the merits of the said contentions can be determined only after examining the papers of investigation.

4. Request being made for surrendering before the Court of Law which would facilitate earlier completion of investigation of crime in question, request deserves consideration. The request for

protection also deserves consideration in view of the aspects pointed out from the transactions.

5. As informed the applicant to surrender before the trial/remand Court on or before 18-02-2015 by 11.00 a.m. In the meanwhile, the applicant to stay at the address mentioned in the application and to attend the investigating officer on every alternate day in between 11.00 am to 1.00 pm. and not to intermingle with the investigation in progress and/or not to misuse the protection granted by this order for fleeing away or for any other oblique purpose.

6. In the said premises, the investigating officer of C.R. No. 826 of 2014 of Mahatma Phule Chowk police station, Kalyan registered for the offences punishable under sections 420, 406 and 507 read with 34 of Indian Penal Code not to take coercive steps of arrest against the applicant upto 18-02-2015 by 11.00 a.m.

7. The trial Court to decide the application for bail if preferred by the applicant after his surrender at the earliest preferably on the same day subject to 24 hours advance copy of the application being served upon the other side stipulating the date and time of his surrender and the applicant adhering to it.

Application stands disposed of.

(P.D. KODE, J.)