

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 451 OF 2015

Harishchandra Balaji Angre	...	Applicant
vs.		
The State of Maharashtra	...	Respondent

Mr. Pawan Kumar Pandey, Advocate, for the applicant.
Ms. P.P.Shinde, APP, for the State

CORAM: SMT.SADHANA S.JADHAV,J.
DATE : 23rd June, 2015.

P.C.

Heard the learned counsel for the applicant and the learned
APP.

2. This is an application under Section 438 of Cr.P.C. The applicant herein apprehends his arrest in Crime No.238 of 2014 registered at Kalachowki Police Station for the offence punishable under Sections 420, 506 read with Section 34 of IPC.

3. It is the case of the prosecution that on 19.9.2014, one Dilip Chavan lodged a report at the police station alleging therein that in the year 2010, the present applicant had misrepresented to him saying that he was

residing in Shirin Manzil. According to the complainant, Shridhar Lad had a gala in Shirin Manizil and that he was running a gymnasium in the name and style of "Guru-Dutta Vyayam Shala. It was also represented to the complainant that the said tenement is the rented premises in the name of Shridhar Lad. It was also represented that Shridhar Lad had expired. A suit is pending between the applicant and the Lad family. The applicant had also allegedly misrepresented that he had purchased the said Gala for Rs.25 lakh. The complainant had purchased the said Gala for Rs.25 lakh. According to the complainant, he had also given a cheque towards a token amount. It was represented to him that Rs.8 lakhs had been given to the Lad family. According to the complainant, the applicant had continued to make misrepresentations to him by saying that the owner of the said building namely Pravin Jain was planning to demolish the said building and erect a tower in the said place. The complainant is alleged to have met the owner of the said building. According to him, despite several meetings the premises were not handed over to him and hence was constrained to lodge a report. It is in premises that the applicant is apprehending.

4. By an order dated 30.3.2015, the applicant was granted interim protection. The applicant was directed to attend Kala Chowki Police Station.

5. The learned counsel for the applicant, upon instructions, submits that he has complied with the said order. It appears from the record that the applicant happens to be an octogenarian. The dispute appears to be a civil nature. Hence, the applicant has made out a prima facie case for grant of pre-arrest bail.

6. The observations made herein are prima facie in nature . That they shall not be considered for the purpose of quashing the FIR, the discharge application or at the time of trial.

ORDER

- (i) The application is allowed
- (ii) In the event of arrest, the applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties.
- (iii) The applicant shall report to the concerned police station as and when called and co-operate with the investigating agency to the best of his capacity.

Application stands disposed of.

(SMT.SADHANA S.JADHAV, J.)