

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 759 OF 2015

Rekha Dhananjaya Sagavkar ... Applicant
Vs.
The State of Maharashtra ... Respondent

ANTICIPATORY BAIL APPLICATION NO. 805 OF 2015

1. Nita Dipak Badave
2. Vishakha Dipak Badave
3. Nikhil Dipak Badave
4. Runali Dipak Badave
5. Prasad Gangadhar Badave ... Applicants
Vs.
The State of Maharashtra ... Respondent

ANTICIPATORY BAIL APPLICATION NO. 806 OF 2015

Bharat Jyotiram Suryavanshi ... Applicant
Vs.
The State of Maharashtra ... Respondent

Mr. Dhairyasheel Sutar, Advocate for the applicant in ABA/759/2015.
Mr. Manoj A. Patil, Advocate for the applicant in ABA Nos. 805/2015 and 806/2015.
Mr. S.S. Pednekar, APP for the State in all the matters.
I.O. Mr. A.S. Tambe, P.S.I., Shivaji Nagar Police Station, Ichalkaranji present.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE : **JULY 15, 2015**

P.C.:

These three Bail Applications are heard and decided together, as all the applicants/accused are involved in the same offence in C.R. No. 55 of 2015 at Shivaji Nagar Police Station, Ichalkaranji, District Kolhapur

punishable under sections 464, 467, 468, 471 r/w. 34 of the Indian Penal Code. One Vitthal Balaji Jadhav, Assistant Sub-Registrar of Ichalkaranji gave complaint on 27th March, 2015.

2. It is the case of the prosecution that the informant came across the complaint application of Omprakash Jethmal Rathi mentioning that he had entered into sale deed of a land along with Deed of Conveyance and the vendor and power of attorney holder, who are the applicants/accused and co-accused, have committed forgery. They have forged an order dated 18th April, 2012 in the office of Sub-Registrar. Pursuant to this, an offence was registered against all these accused persons.

3. The learned counsel for the applicants/accused have submitted that the applicants/accused have not committed any offence. They are innocent. They are ready to cooperate the police and they have been attending the police station since last two months.

4. Learned APP, while opposing these Applications, submitted that there is another complaint filed by previous purchaser and that is pending against the applicants/accused. He further submitted that each applicant/accused has played role in cheating and creating the forged order. They have not only cheated Mr. Rati but also the subsequent

purchaser Mr. Suryawanshi.

5. Perused the FIR, documents produced herein and the order dated 6th May, 2015 rejecting the Bail Applications of the applicants/accused by the learned Additional Sessions Judge, Ichalkaranji. *Prima facie* It appears that these applicants/accused have committed an offence by disposing the same properties to other customers by producing forged documents. However, from the record it appears that the applicants/accused were not on interim protection from 6th May, 2015 till they were granted interim pre-arrest bail by this Court on 2nd June, 2015 and 12th June, 2015 respectively. However, the applicants/accused were not arrested by the Investigating officer during that period. In view of this and considering the charges faced by the applicants/accused, I am inclined to confirm the interim pre-arrest bail granted by this Court to the applicants/accused by orders dated 2nd June, 2015 and 12th June, 2015 with same terms and conditions.

6. The Applications for Anticipatory Bail stand disposed of on above terms.

(MRS.MRIDULA BHATKAR, J.)