

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

ANTICIPATORY BAIL APPLICATION NO.1005 OF 2015

Smt. Dwarkabai Jagannath Pavnekar ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Pawan Mali i/b. Runal Watwkar for the Applicant.

Ms Veera Shinde, APP for the Respondent -State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 23rd NOVEMBER, 2015.

P. C. :

This is an application for the anticipatory bail filed by the aforesaid Applicant apprehending her arrest in Crime No.57 of 2015 registered with the Kamothe police station for the offences punishable under sections 420, 463, 467, 468, 471 and 473 r/w. Section 34 of the IPC.

2. Heard the learned counsel for the Applicant and the learned APP for the State.

3. I have perused the FIR and other papers which were placed on record and considered the submissions advanced by the learned

counsel for the respective parties. One Bharat Bhore had lodged FIR dated 12th March, 2015 against the present Applicant and other co-accused alleging that they had agreed to sell to him part and parcel of the land situated at Phase 2, Sector 24, Plot No.6 at village Kamothe. In terms of the said agreement the Applicant and other co-accused received rupees three crores five thousand. Subsequently the Applicant and other co-accused refused to transfer the amount, which necessitated filing of a civil suit. It is the case of the complainant that despite the order of the status quo the Applicant alongwith the other co-accused sold the property to Arshad Abdul Wahid Qureshi and Mangesh Eknath Thakur of Shakti Enterprises.

4. The records reveal that the co-accused had filed an application being anticipatory bail application No.606 of 2015. The said application was granted by order dated 24.6.2015 and they were ordered to be released on bail on bail bond of Rs.20,000/- with one or two sureties in the like amount. The Applicant herein is a woman. The allegations against her are similar to those levelled against other Applicants in anticipatory bail application No.606 of 2015. The nature of the allegations does not justify custodial interrogation.

5. Under the circumstances and in view of the discussion supra, the anticipatory bail is granted to the Applicant on the following terms and conditions :-

- (I) The application is allowed.
- (II) In the event of arrest, the Applicant shall be enlarged on bail upon furnishing P.R. bond of 20,000/- (Rupees Twenty Thousand only) with one or two sureties in the like amount to the satisfaction of Sessions Judge, Raigad-Alibag.
- (III) The Applicant shall not tamper with the evidence.
- (IV) The Applicant shall attend the concerned police station on every Tuesday between 10.00 a.m. to 11.00 a.m. for one month and cooperate with the Investigating Officer and produce all the necessary documents.

(ANUJA PRABHUDESSAI, J.)