

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1158 OF 2014
WITH
CRIMINAL APPLICATION NO.618 OF 2014**

Rajesh Surajmal Dakle & Ors.	Applicants.
Versus	
The State of Maharashtra & Ors.	...Respondents.

Mr. A.P.Mundargi, Sr. Adv. With Mr. P.T.Dighe and Mr. K.M.Irani i/by Ajit Kocharekar, advocates for the Applicant.
Ms. Veera Shinde, APP for the respondent-State.
Mr. Anshuman Sinha i/by Mr. V.V.Purwant, advocates for the applicant/intervenor in APPP No.618/2014

CORAM : MRS. MRIDULA BHATKAR, J.

DATED : March 20, 2015.

P.C.:

The application is moved for pre-arrest bail as the applicants-accused are facing charges under Section 420, 406, 407 read with 34 of the Indian Penal Code, 1860 as one Vikas A. Bafna gave information to the police on 1.8.2014. Pursuant to which F.I.R was registered at C.R.No.88 of 2014 at Koregaon Park Police Station , Pune.

2 This matter involved the dispute in respect of apportionment of the ancestral property as the applicants-accused are ready to give 12.5%

of the consideration amount received after sale of ancestral property and whereas the complainant and his family claims 25% share in the said property. The complainant and the applicants are cousins. Their relationship is not disputed. Their rights in the property is also not disputed. However, the dispute pertains to the percentage of shares in the co-parcenary property. Ancestral property was sold at Rs.14.74 crores. Out of the said amount applicants-accused withdrew Rs.41 lakhs towards the expenses of clearing property. As of today, amount of Rs.14.40 crores is kept in fixed deposit in bank.

3 After hearing submissions of the learned counsel of both the parties and the learned Prosecutor I do not find any ground to reject pre-arrest bail to the applicants-accused. It is to be noted that this Court has earlier sent this matter for mediation as found a good case for settlement as the dispute is between the family. The matter is more of a civil nature. In view of this, pre-arrest bail granted to the applicants-accused on the following conditions:

- i) In the event of arrest, the applicants/accused shall be released on bail upon furnishing P.R. Bond in the sum of Rs.15,000/- each , with one or two solvent sureties in the like amount;

ii) The applicant shall not tamper with the evidence;

iii) The applicant shall not indulge into any kind of offence while on bail;

iv) The applicant shall cooperate with the Investigating Officer and attend the concerned police station on 24th and 31st March, 2015 , between 11 to 12 noon until further orders.

4 As the application itself is disposed of, nothing survives in the intervention application therein and the same also stands disposed of.

(MRS.MRIDULA BHATKAR, J.)