

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1694 OF 2015**

Sunil Mahendra Rao

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. M. S. Mohite I/b Mr. Harshad Sathe and Mr. Saurabh Butala for the Applicant

Mr. S. S. Pednekar, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
MONDAY, 14TH SEPTEMBER, 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P for the State.
2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. I-356 of 2015 registered with the Naupada Police Station, Thane, for the alleged offences punishable under Sections 420, 467, 468 and 471 of the Indian Penal Code.
3. The first informant is one Harnesh Vijay Patil. He has alleged that two documents i.e. the Election Identity Card and Electricity Bill, both belonging to him were used by the applicant for submitting them to the

Regional Transport Office (RTO), Central Maidan, Thane. According to the complainant, on the basis of these documents, the applicant got his BMW Car bearing No. MH-04/FT-9099 registered with the RTO and as such cheated the complainant.

4. Learned Counsel for the applicant states that pursuant to the complaint dated 3rd August, 2015, the applicant was arrested on 6th August, 2015. He submitted that the dealer had given the applicant an option to register the BMW Car either in Mumbai or Thane, pursuant to which, the applicant got the vehicle registered at Thane. He submits that it was the dealer M/s. Navneet Motors who arranged the said documents. He submitted that the investigation is almost over and that the alleged forged and fabricated documents are in the custody of the police and as such, the applicant be enlarged on bail.

5. Learned A.P.P submits that the applicant intentionally forged and fabricated the documents i.e. the Election Identity Card and the Electricity Bill, pursuant to which, the BMW Car came to be registered with the Regional Transport Office, Thane.

6. Perused the papers. Whether or not, it is the applicant or someone else who is responsible for submitting the said forged documents, is a matter which will be decided by the trial Court. *Prima facie*, it appears that forged and fabricated documents were submitted pursuant to which the car came to be registered with the RTO at Thane. However, the fact remains that the documents are in the custody of the Investigating Officer and that the investigation is almost complete. The applicant has been in custody since 6th August, 2015.

7. Considering the aforesaid, the applicant is enlarged on bail on the following terms and conditions :

ORDER

- (i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount;
- (ii) The applicant shall attend the concerned Police Station on every Saturday till the filing of the charge-sheet;
- (iii) The applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(iv) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(v) The applicant to cooperate with the conduct of the trial.

8. The Application is allowed in the aforesaid terms and is accordingly disposed of.

9. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

10. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.

CERTIFICATE

Certified to be true and correct copy of the original signed
order.
