

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

CRIMINAL APPLICATION NO. 1743 OF 2016

ASHOK YASHWANT UGALE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Shivraj B. Kadu.

APP for Respondent : Mr. A. S. Shinde.

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CORAM : **INDIRA K. JAIN, J.**

DATE : 29th April, 2016.

ORDER:

. This is an application for pre-arrest bail in Crime No.I-272 of 2014 registered at Sangamner City Police Station, Taluka Sangamner, District Ahmednagar for the offences punishable under Sections 420, 464, 465, 468 and 471 read with 34 of the Indian Penal Code.

2 Heard the learned counsel for parties. Perused papers of investigation.

3 It appears from FIR that incident occurred on 25th May, 2008 and offence was registered on 22nd December, 2014. Inordinate delay of 6 and 1/2 years has not been explained by Complainant. At

the relevant time Applicant was working as Talathi. According to Complainant Prabhakar Vinayak Belapurkar expired on 22nd February, 2000. Still Applicant and co-accused prepared consent letter in the name of deceased Prabhakar Belapurkar and excavated soil from the land in dispute. There is no material to show that Applicant had knowledge of death of Prabhakar at the relevant time.

4 In the above premise and since custodial interrogation of Applicant is not necessary this Court is inclined to allow the application. Hence the following order –

ORDER

- I. Criminal Application No.1743 of 2016 is allowed.
- II. In the event of arrest of Applicant in Crime No.I-272 of 2014 registered at Sangamner City Police Station, Taluka Sangamner, District Ahmednagar for the offences punishable under Sections 420, 464, 465, 468 and 471 read with 34 of the Indian Penal Code, he shall be released on bail on P.R. and S.B. of Rs.15,000/- (Rupees Fifteen Thousand Only) each.

III. Applicant shall not tamper with the prosecution evidence and shall make himself available as and when required for investigation / interrogation.

[INDIRA K. JAIN, J.]

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