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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 2528 OF 2016

Suryakant s/o Nagorao Kulkarni ..APPLICANT

VERSUS

The State of Maharashtra ..RESPONDENT

Mr S. M. Godsay, Advocate for applicant;
Mr S. J. Salgare, Addl. Public Prosecutor for respondent

WITH
CRIMINAL APPLICATION NO. 2537 OF 2016

Pradeep s/o Purushottam Kodrikar ..APPLICANT

VERSUS

The State of Maharashtra ..RESPONDENT

Mr P. D. Bachate, Advocate for applicant;
Mr S. J. Salgare, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE : 10th June, 2016

ORDER :

Both the applicants in these applications were public servants and were working in Revenue Department, seeking their release on pre-arrest bail, in connection with Crime No. 45 of 2016, registered with Sonpeth Police Station, Tq. Sonpeth, Dist. Parbhani, for the offence punishable under Sections 420, 423, 426, 465, 467, 468 and 471 read with Section 34 of the Indian Penal Code.

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2. Perused the entire records. The alleged incident in question claims to have taken place in between 25th June, 1991 and 28th June, 1991, for which the complaint under Section 156(3) of the Code of Criminal Procedure, came to be lodged in 2015.

3. The complaint is based on the certain documents which were executed in relation to the transfer of title of land property.

4. Both the applicants are senior citizens, aged about more than 60 and 80 years respectively. Looking to the delay in lodging first information report in relation to matter in question, which is brought after about 25 years and the fact that the applicants are retired public servants, in my opinion, their custodial interrogation is not necessary at this stage for the purpose of investigation. The alleged offence is based on certain documents, which are very much available with the concerned office.

5. In the above background, in my opinion, it will be appropriate to allow the application for grant of pre-arrest bail of the applicants. Hence, I pass following order:

In the event of arrest of the applicants in both these applications, in connection with Crime No. 45 of 2016, registered with Sonpeth Police Station, Tq. Sonpeth, Dist. Parbhani, for the offence punishable under Sections 420, 423, 426, 465, 467, 468 and 471 read with Section 34 of the Indian Penal Code, they be released on bail, on each of them furnishing

(3)

P.R. Bond of Rs.15,000/- with one surety in the like amount.

The applicant namely Pradeep Purushottam Kodrikar in Criminal Application No. 2537 of 2016, shall attend concerned police station on 18th and 19th June, 2016, between 10.00 a.m. to 12.00 noon and thereafter as and when called by the Investigating Officer.

The applicant namely Suryakant Nagorao Kulkarni in Criminal Application No. 2528 of 2016, is informed to be hospitalized as is suffering from Kidney ailments. Mr Godsay, learned Counsel appearing on behalf of him, volunteers that that said applicant shall attend concerned police station, as soon as he will be discharged from the hospital.

Learned Additional Public Prosecutor submits that after the discharge of said applicant from the hospital, he will intimate to the Investigating Officer. The Investigating Officer shall send notice calling upon the said applicant for investigation purpose.

With the above observations, both the Criminal Applications stands allowed.

(N.W. SAMBRE, J.)

sjk