

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 43 OF 2016**

Sachin Somnath Jambhulkar

...Applicant

Versus

State of Maharashtra

...Respondent

Ms. Prabha Badadare for the Applicant

Ms. Veera Shinde, A.P.P for the Respondent-State

PC Mr. Jadhav from Lonavala Rural Police Station, Pune is present

CORAM : REVATI MOHITE DERE, J.
TUESDAY, 29TH MARCH, 2016

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 136 of 2015 registered with the Lonavala Rural Police Station, Pune, for the alleged offences punishable under Sections 420, 465, 467, 468, 471 r/w 34 of the Indian Penal Code.

3. Learned Counsel for the applicant submits that the applicant is an innocent purchaser, who had purchased a piece of land, from one Rajan Bahel, vide registered Sale Deed dated 12th June, 2014. She submitted that the said Rajan Bahel with whom the Sale Deed was executed, had in fact impersonated one Rajan Bahel, who was the actual owner of the property. She submitted that in fact, prior to the execution of the Sale Deed dated 12th June, 2014, the very same Rajan Bahel, who had impersonated the real Rajan Bahel, had sold the very same land, to one Ramesh A. Khopade and Vijay B. Shinde, vide registered Sale Deed dated 3rd April, 2014. She submitted that the very same land was again sold to four more persons by the said Rajan Bahel. She submitted that when the applicant learnt that his name was not entered in the 7/12 extract, he filed a complaint with the Lonavala Rural Police Station, Pune, on 24th September, 2014 and as the police did not register an FIR, the applicant was compelled to lodge a private complaint and the said private complaint is pending.

4. Learned A.P.P on the instructions of the Officer, who is present in Court, states that the applicant is also a purchaser of the very same land, which was sold by one Rajan Bahel to several persons.

5. *Prima facie*, it appears that the applicant is only a purchaser of the land, which Rajan Bahel (impersonator) sold to several persons. Considering the aforesaid, the applicant is granted anticipatory bail on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount;
- (ii) The applicant shall report to the Investigating Officer on every Saturday from 10:00 a.m. to 11:00 a.m. till the filing of the charge-sheet;
- (iii) The applicant shall not tamper, attempt to influence or contact the complainant, witnesses or any person concerned with the case.

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

7. It is made clear that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

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

REVATI MOHITE DERE, J.