

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

ANTICIPATORY BAIL APPLICATION NO.1535 OF 2016

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders.

Court's or Judge's orders

Mr. Arun Prajapati i/b Anjali Patil for applicant.
Ms. A.T. Javeri, APP for State.

CORAM : A.S. GADKARI, J.
DATE : 21st January 2016.

P.C.:

- 1] The applicant apprehends arrest in CR No.103 of 2015 registered with Wadala Police Station, Mumbai under Sections 406, 420, 467, 468, 471 read with Section 34 of the Indian Penal Code.
- 2] It is the specific case of the prosecution that the co-accused namely Chandrakant Thakur by forging the will of the mother-in-law of the complainant got the room transferred in his name and subsequently sold it to the present applicant. The learned Counsel for the applicant submitted that the applicant is the bonafide purchaser of the said room for valuable consideration from Mr. Chandrakant Thakur without having any knowledge of the forging or fabricating of the document. He submitted that in pursuance of order dated 18.12.2015, the applicant had attended the Investigating Officer on the stipulated dates.
- 3] The learned APP on instructions submitted that the applicant has attended the Investigating Officer on the stipulated dates and joined the

process of investigation. She further on instructions submitted that the custodial interrogation of the applicant is not necessary, however, the applicant may be directed to attend the Investigating Officer as and when called for till the completion of investigation.

4] In view of the above, the following order:

(i) In the event of arrest in CR No.103 of 2015 registered with Wadala Police Station, Mumbai, the applicant shall be released on his furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.

(ii) The applicant shall attend the Investigating Officer as and when called for between 10.00 a.m. to 1.00 p.m. for the purpose of investigation. It is needless to mention that before calling the applicant to Police Station, the Investigating Officer shall issue notice to the applicant under Section 160 of Cr. P.C.

(iii) The applicant shall not tamper with evidence and/or influence the prosecution witnesses.

(iv) The application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)