

*Nalawade*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1767 OF 2015
Rameshchandra R.Shukla Vs. The State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. R.V.Gupta for the Applicant.

Mrs. N.S.Jain, APP for the Respondent-State.

Mr. Khan Fakruddin for Respondent No.2.

CORAM :A.S.GADKARI, J.

DATE : 28th September, 2016

P.C.

1. By an order dated 23.11.2015 the applicant was granted interim relief. The relations inter se between the applicant and the complainant are stated in the said order. After taking into consideration the issue involved in the application and the relations between the parties inter se the matter was referred for mediation by an order dated 22.1.2016. Accordingly, Shri. S.S. Deshmukh, Principal District Judge (Retired) was appointed as Mediator by the Mediation Center, High Court, Mumbai to effect the process of mediation. The registry has subsequently received a report dated 21.5.2016 from the learned Mediator that the process of mediation has failed. In view of the same. The present application was heard on merits.

2. Heard the learned counsel for the applicant, the learned counsel for respondent No.2 and the learned APP. I have also perused the documents annexed to the application and

other related documents.

2) It is the precise allegation against the applicant, that the applicant and other accused persons with a view to have wrongful gain prepared forged and fabricated receipts and submitted it to the complainant thereby attracting various penal provisions as mentioned in the FIR. It is to be noted here that the applicant is the father of Smt. Vandana Mishra and the respondent No.2 herein i.e. original complainant in the present crime is the father in law of said Mrs. Vandana Mishra i.e. father of Mr. Sanjay Mishra the husband of Mrs. Vandana Mishra. As observed in the earlier orders the main dispute has arisen due to matrimonial discord and disputes between Mr. Sanjay Mishra and his family members on one side and Smt. Vandana Mishra and her family members on the other hand. It further appears from the peculiar facts of the present case that the allegations against the applicant are pertaining to the documents submitted by respondent No.2 and the same now has been seized by the police during the course of investigation.

3. In view of the above and after taking into consideration the peculiar facts of the present case according to me the custodial interrogation of the applicant is not necessary. The interim relief granted by an order dated 23.11.2015 is hereby confirmed.

4. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)