

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2057 OF 2016
ALONGWITH
ANTICIPATORY BAIL APPLICATION NO. 2058 OF 2016
ALONGWITH
ANTICIPATORY BAIL APPLICATION NO. 2059 OF 2016
ALONGWITH
ANTICIPATORY BAIL APPLICATION NO. 2060 OF 2016
ALONGWITH
ANTICIPATORY BAIL APPLICATION NO. 2061 OF 2016

Ranjan Hasha Patil

.....Applicant

V/s.

The State of Maharashtra

.....Respondent

* * * * *

Mr. S.V. Marwadi a/w. Mr. Yogesh Rawool i/by. Mr. S.S. Redekar,
Advocate for the applicant.

Smt. N.S. Jain, APP for respondent, State.

Ms. R.M. Gadhvi, APP for State in ABA-2060-2016.

Mr. N.B. Patil, APP for State in ABA-2061-2016.

Mr. S.S. Jaypatre, PSI Nalasopara Police Station present.

CORAM :- N.W. SAMBRE, J

DATED :- 29TH NOVEMBER, 2016.

P.C. :-

1). In all these matters registered with different police stations, the applicant is alleged to have committed similar offences,

and as such are heard and disposed off with a common order.

2). The claim of the present applicant is, the Assistant Commissioner, Vasai Virar City Municipal Corporation initiated criminal complaint against various builders who have carried out illegal constructions/developments without any permission from Competent Authority for change of user, or building permits for carrying out development activity. The present applicant is shown to be co-accused who claimed to have used his office as an advocate for preparing bogus documents such as 7/12 extract, permission from Competent Authority about change of user of the land under the Maharashtra Land Revenue Code, the building construction/commencement certificate etc. and has facilitated the developer who were not the owner and the prospective buyer for transferring the title in illegal manner.

3). Pursuant to the claim put forth by the prosecution, the learned Counsel for the applicant submits that, the applicant is a practising lawyer who is also doing the work of helping the parties in getting the documents executed qua the title-deeds. It is then claimed that, the office of the present applicant is misused by one of the co-accused, Ashish A. Kulkarni and as such the applicant is impleaded as accused. According to him, the printer and other material used in the commission of crime is already recovered and since the offence in question is based on the documents, the custodial interrogation of the applicant is not required.

4). Per-contra, the learned APP submits that, the mode and

manner of committing the crime could be enquired into only upon the custodial interrogation of the applicant as there are about five offences registered against the applicant with similar set of allegations.

5). Perused the investigation papers. What could be noticed from the investigation papers is the chargesheet in the matter is already filed as the investigation against the other co-accused is complete. The entire offence, as is claimed in the FIR and other papers, is based on documentary evidence. The applicant is a professional who is very much available for investigation and as such for the said purpose, his custodial interrogation is not required.

6). In view thereof, in the event of arrest of the applicant in Crime No.I-101 of 2016, I-110 of 2016, I-118 of 2016, I-120 of 2016, I-114 of 2016 be released on P.R. Bond of Rs.50,000/- (Rs. Fifty Thousand only) with one or two sureties in the like amount.

7). The applicant shall appoint police station on 5th and 9th December, 2016 between 10 to 12 p.m. and thereafter as and when called.

8). The applicant shall not tamper the evidence and/or influence the witnesses in any manner whatsoever.

(N.W. SAMBRE, J)