IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 61 OF 2017

1.Diliprao Keshavrao Jadhav
2. Rajendra Keshavrao Jadhav
3. Bhushan Diliprao Jadhav
4. Yuvraj Diliprao Jadhav
5. Rakesh Diliprao Jadhav
6. Akshay Rajendra Jadhav
7. Dipti Diliprao Jadhav
8. Priyanka Rajendra Jadhav
9 Vibhavari Bhushan Jadhav
10 Shri Jitendra Arvind Parte
11 Shri Ranjeet Anandrao Shinde …Applicants

Versus

State of Maharashtra …Respondent

WITH

CRIMINAL APPLICATION NO. 102 OF 2017

Abhimanyu Ashokrao Jadhav ...The Applicant
Seeking Intervention

In the matter between

1. Diliprao Keshavrao Jadhav & Ors. ...The Accused

Versus

The State of Maharashtra ...Respondent

…...

Mr.Harshad Nimbalkar i/b. Mr.Satyam H.Nimbalkar for the Applicant.
Mr.Rajan Salvi, APP for the State-Respondent.
Mr.Abhishek Pungaliya for the Intervener.
Mr.Ajay Kadam, PSI, Deccan Police Station (present)

…...

CORAM : MRS.MRIDULA BHATKAR, J.
DATE : 2nd February 2017

P.C.:

1. Criminal Anticipatory Bail Application No. 61 of 2017 is moved by the applicants-accused under section 438 of Cr.P.C. The applicants-accused are prosecuted for offences punishable under sections 120(B), 406, 420, 465, 467, 468 and 471 of the Indian Penal Code.

2. It is the case of the complainant that the applicants-accused are his uncles and cousins and Directors of a company. In the year 2006, the applicants-accused have placed forged resignation letter and also created fake documents showing that the complainant has resigned from the company as a Board Director. The applicants-accused have cheated the complainant by enjoying the entire profit and shares of the company.

3. The learned counsel for the applicants-accused submits that there are few forged documents and their specimen signatures are available to the police. The learned counsel further submits that dues are deposited and also share amount is transferred in the account of the complainant.

4. The learned prosecutor informs the Court that the applicants-accused have attended the police station and given co-operation with the investigation, therefore, the police do not require their custody.

5. The learned counsel for the complainant submits that the complainant is cheated by the applicants-accused. They prepared an agenda in the year 2006 wherein the subject of resignation of the complainant was not mentioned. He never resigned from the company. His signature on the resignation letter was forged by the applicants-accused. The learned counsel further submits that after the death of his father, the entire business is taken over by his uncles and the cousins i.e. applicants-accused.

6. In view of this submission and also taking into account the allegations made, and the nature of transaction between the parties, I confirm the order of interim bail, which was granted earlier by the order dated 12th January 2017, with the terms and conditions as mentioned below:

<u>ORDER</u>

(i) In the event of arrest, the applicants-accused be enlarged on bail on furnishing P.R. Bond in the sum of Rs. 20,000/- (Rupees Twenty Thousand only) each with one or two sureties in the like amount.

(ii) The applicants shall not harass or threaten the complainant.

(iii) The applicants shall not indulge into any criminal activity.

(iv) The applicants shall attend the concerned police station as and when called.

7. Anticipatory Bail Application is disposed of accordingly.

8. In view of the order passed in Criminal Anticipatory Bail Application No. 61 of 2017, Criminal Application No. 102 of 2017 does not survive and the same stands disposed of.

(MRIDULA BHATKAR, J.)