

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.346 OF 2017

Lalit M.Lalwani	.. Applicant
vs	
State of Maharashtra	.. Respondent

with ANTICIPATORY BAIL APPLICATION NO.347 OF 2017

Prakash P.Jain	.. Applicant
vs	
State of Maharashtra	.. Respondent

with ANTICIPATORY BAIL APPLICATION NO.348 OF 2017

Achal Walchand Jain	.. Applicant
vs	
State of Maharashtra	.. Respondent

Mr.Sandeep D.Paigude Advocate a/w Ms.Reshma More for
Applicants
Mr.S.S.Hulke Additional Public Prosecutor
for State-Respondent

CORAM : T.V.NALAWADE, J
DATE: 22 AUGUST 2017

P.C.

1. This application is filed for anticipatory bail in C.R.No.624 of 2016 registered in Bharati Vidyapeeth Police Station, Katraj Pune for the offences punishable under sections 463, 464, 465, 468, 470, 471, etc of the IPC.

2. Both sides are heard. Nobody turned up for the Complainant.

3. It is the case of the First informant that she purchased one acre land from Survey no.44 under a Sale Deed dated 14.9.2981. The submission made show that the total area of Survey no.44 is 760 Ares. It is the case of the First informant that in the year 2015 she got measurement of her portion of land and accordingly map of measurement is delivered to her. It is her case that this measurement was challenged by the Respondent-accused and the authority under the Maharashtra Land Revenue Code,1966 has set aside the measurement made on the basis of the application given by the First informant. It appears that in the year 2005 measurement was taken on an application moved by the accused and accordingly the map was prepared. There is a possibility that the real grievance is about the alleged encroachment made on the property of the First informant. Under the Maharashtra Land Revenue Code, 1966 the procedure is given to challenge the measurement and that procedure was adopted by the present Applicant-accused.

4. In view of the said circumstances, this Court holds that protection needs to be given to the Applicant in the present matter.

5. In the result, Application is allowed. Interim relief already granted earlier is confirmed.

6. Since in Anticipatory Bail Application Nos.347 and 348 case of the Applicants are similar, they are allowed accordingly.

(T.V.NALAWADE,)

Rng

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