IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1368 OF 2017

Anil Uttam Chaudhary … .. Applicant
vs
State of Maharashtra
(Thr.Chatushrunji Police Station
Pune) .. Respondent

Mr.Nilesh Tribhuvan Advocate
a/w Mr.Aashish Agarkar for Applicant
Mr.S.V.Gavand Additional Public Prosoecutor
for State-Respondent

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

P.C.

1. This application is filed for anticipatory bail in MECR No.382 of 2016 registered with Chatushrungi police station for offences punishable under sections 406,420,468 and 471 of the IPC. The papers of investigation are made available for perusal of this Court.

2. The First Informant was having one flat at Building No.G, Silestiya City, Near Bhondave Vasti, Ravet Pune. The present Applicant cousin of informant represented to the First

informant that one flat at Samartha Heights, Baner Pune which was more spacious was available and the First informant should purchase it by disposing of his aforesaid flat. He represented that he would purchase the present flat and that money can be invested and paid for the purchase of the aforesaid new flat. Due to this representation, the First informant executed the Sale Deed in favour of the present Applicant on 23.2.2013. It is the contention of the First informant that he paid not only the registration fees but, also fees of the Advocate who drafted the conveyance documents. It is contended that the present Applicant did not pay consideration and then avoided to give the money.

3. The learned APP drew the attention of the Court to the papers of investigation which show that the present Applicant has collected three Pan cards having different numbers. His whereabouts are not known and he always changes his place of residence. The police want to make investigation to trace out the original record. This Court had given an opportunity to the present Applicant to show the

record on the basis of which it is possible to infer that on the date of the transaction, the present Applicant had actually withdrawn an amount of Rs.40,00,000/- and was given to the First informant.

4. Today, a copy of the ledger Account of Krishna Investments and Securities belonging to the present Applicant is produced to show that he was having sufficient amount but, this document also does not show that in that year an amount of Rs.40,00,000/- was withdrawn.

5. The learned counsel for the Applicant submitted that he was having the cash amount and the cash amount was given to the First informant. This submission is not acceptable in view of the aforesaid circumstances and the nature of allegations. Virtually, no reason is given against the First informant why he is making allegations against his close relative like his nephew.

6. The custodial interrogation of the Applicant is

necessary and it can be said that more things will reveal in view of the aforesaid facts after custodial interrogation of the Applicant.

7. Application stands rejected. Interim relief granted earlier stands vacated.

(T.V.NALAWADE,J)