

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRI. APPLICATION (ABA) NO. 250 OF 2017

(ROSHAN TRYAMBAKRAO NIMKAR...VS.. STATE OF MAH. THR. P.S.O. ARVI, DIST. WARDHA)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

None for the applicant.
 Shri S.P.Deshpande, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JULY 03, 2017.

CRI.APPLN.(APPP) NO. 879/2017.

The complainant (son of Avinash Bhagwat, who
owns field in question) is permitted to assist the prosecution.

The application is **allowed**.

CRI.APPLN.(ABA) NO.250/2017.

Heard.

Apprehending arrest in connection with crime registered against the applicant and two others for the offences punishable under Sections 420, 468, 471 and 34 of the Indian Penal Code, the applicant seeks pre-arrest bail. The accusations against the applicant are that the documents showing that the sale-deed in respect of agricultural land owned by Avinash Bhaiyyaji Bhagwat is executed by Avinash Bhaiyyaji Bhagwat on 21st June, 2016 are not genuine as Avinash Bhaiyyaji Bhagwat has died on 15th September, 2014.

This Court has granted protection to the applicant

by order passed on 18th April, 2017. The matter was listed on 1st July, 2017 on which date none appeared for the applicant and therefore, it came to be adjourned. Today, none appeared for the applicant in morning session, the matter was kept back. Again when the matter is called out in the afternoon session, there is no appearance for the applicant.

With the assistance of the learned Additional Public Prosecutor, I have examined the documents filed on record along with the application.

According to the Investigating Agency, the applicant is conspirator and his custodial interrogation is necessary to unearth the truth.

Considering the facts of the case, I am not inclined to grant the prayer made in the application. The application is **dismissed**.

CRI.APPLN.(APPP) NO. 645/2017 & 646/2017.

In view of dismissal of the bail application, the applications praying for grant of interim bail and also for dispensing with certified copy do not survive, hence, both the applications are **disposed of**.

JUDGE