

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

CRI. APPLICATION (ABA) NO.295 OF 2017
(NITIN SURESH NAGARKAR...VS.. STATE OF MAH.THR. PS KOTWALI)

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

Court's or Judge's orders

Shri S.G.Karmarkar, Advocate for Applicant.
Shri A.D.Sonak, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.
DATED : JULY 07, 2017.

Heard.

Apprehending arrest in connection with the crime registered for the offence punishable under Sections 419, 420, 467, 468 and 471 of the Indian Penal Code, the applicant has sought pre-arrest bail. The crime is registered against four persons on the complaint lodged by Prasanna Narsa Reddy that the plot owned by his mother is transferred by sale-deed executed by impersonation. According to the Investigating Agency, name of the applicant is disclosed by one of the co-accused and the material available with the Investigating Agency shows that the applicant is mastermind in commission of the crime.

The learned advocate for the applicant has submitted that the applicant is neither purchaser nor witness on the alleged sale deed and the Investigating Agency has not been able to point out that the applicant is one of the beneficiary of the returns of the transaction in question.

The applicant, aged about 41 years, claims to be businessman and has stated that he is not involved in any other crime/ offence. This Court has passed order on 4th May, 2017 granting protection to the applicant imposing the condition of attendance at the Police Station. The non-applicant has not made any complaint that the applicant has not complied with the order passed by this Court or has not co-operated with the Investigating Agency. The non-applicant has not been able to show that the custody of the applicant is required for further investigation.

In the facts of the case, the order passed by this Court on 4th May, 2017 granting protection to the applicant is confirmed.

The application is **allowed** accordingly.

CRI.APPLN.(APPP) NO.803/2017.

In view of disposal of the bail application, the application praying for grant of time to file copy of order does not survive, hence, it is **disposed of**.

JUDGE