

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

CRI. APPLICATION (ABA) NO. 347 OF 2017

(ABID ALI S/O MIR ZAFAR ALI...VS.. STATE OF MAH. THR. P.S.O. PS GANESHPETH,
DISTT.NAGPUR)

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

Court's or Judge's orders

Shri. A. P. Raghute, Advocate for Applicant.
Shri. N. R. Patil, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : 28th JUNE , 2017.

Heard.

The applicant, apprehending arrest in connection with crime registered against him for the offence punishable under Section 420 of the Indian Penal Code, has sought pre-arrest bail.

According to the Investigating Agency, the applicant posing himself to be a Property Agent had shown various documents including power of attorney in respect of various properties to customers and had taken money as advance assuring to execute sale-deeds of those properties. According to Investigating Agency, the applicant has taken cash of Rs.41,00,000/-.

The application is opposed on the ground that some documentary evidence is collected which prima facie shows the involvement of the applicant in commission of offence. The learned A. P. P. has pointed out from the order

passed by the Sessions Court that interim protection was granted to the applicant imposing conditions, however, the applicant has not complied with the conditions imposed by the Sessions Court and the applicant has not co-operated with the Investigating Agency. The facts on record show that the Sessions Court rejected the application filed by the applicant observing that the applicant has not co-operated with the Investigating Agency and subsequently another application was filed by the applicant before the Sessions Court which is withdrawn.

Considering the facts of the case, observations of Sessions Court and as the investigation is still in progress, I am not inclined to grant the prayer.

The application is **dismissed**.

JUDGE

PBP