

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATIN (BA) NO. 724 OF 2017

(Nitin S/o Shyamsundar Lulekar..vs..State of Maharashtra, through PSO.PS.Sitabuldi,Nagpur)

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

Court's or Judge's orders.

Shri Kartik Patel, Advocate for applicant.
Shri J.Y.Ghurde, A.P.P. for State-non-applicant.

CORAM : V.M. DESHPANDE, J

DATED : AUGUST 11, 2017

This is an application for grant of bail.

2] Heard learned counsel for the applicant and learned A.P.P. for State.

3] The matter was listed before this Court on 9/8/2017. On the said date, the matter was adjourned till today to make a statement on behalf of the prosecution as to whether the investigation is over. Today, learned A.P.P. makes a statement that the investigation is over, chargesheet is already filed and he is in possession of the copy of the chargesheet.

4] The F.I.R.No.225/2017 was registered with P.S.Sitabuldi, Nagpur, for the offence punishable under Sections 419,420,465,467,468,471,474,120-B of the Indian Penal Code by Ku.Dharti Shyamsundar Lulekar on 4/6/2017 against the present applicant who is her brother. The gist of the accusations in the F.I.R. is that the present applicant has fabricated a document by which the applicant executed a sale deed and in that process the present applicant impersonated a

third person as his father.

5] Since the investigation is over and chargesheet is already filed and since all the offences are triable by the learned Judicial Magistrate First Class in my view, looking to the pendency of the case in the Court of learned Magistrate, it will not be possible for the said learned Magistrate to take up the trial of the present case in near future. Therefore the application can be considered favorably.

ORDER

- I) The application is allowed.
- II) Applicant Nitin Shyamsundar Lulekar be released in Crime No.225/2017,registered with P.S. Sitabuldi,Nagpur,for the offence punishable under Sections 419,420,465,467,468,471,474,120-B of the Indian Penal Code on his executing P.R. of Rs. 25,000/- with two solvent sureties in the like amount.
- III) The applicant shall attend P.S.Sitabuldi,Nagpur once in a month i.e. last Sunday in between 3.00 p.m. to 5.00 p.m. till culmination of the trial.
- IV) The applicant shall not try to pressurise or intimidate the first informant or any her family members.
- V) With this the application is disposed of.

JUDGE