

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

CRIMINAL APPLICATION (ABA) NO.723 OF 2017

Abdul Aziz Abdul Shakur Rangoonwala, Katol road, Raj Nagar, Nagpur

-vs-

State of Maharashtra, Thr. PSO, PS Gittikhadan, Dist. Nagpur

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri S. P. Dharmadhikari, Senior Advocate with Shri K.
N. Shukul, Advocate for applicant.

Shri K. L. Dharmadhikari, APP for non-applicant/State.

CORAM : A.S.CHANDURKAR, J.

DATE : November 15, 2017

Heard.

The applicant apprehends his arrest in connection with
Crime No.504/2017 registered at Police Station Gittikhadan,
Dist. Nagpur for the offences punishable under Sections 420,
465, 467, 468, 471 of the Indian Penal Code.

It is submitted by learned Senior counsel on behalf of the
applicant that the complainant claims to have purchased plot
admeasuring 1200 sq. ft. from the applicant herein who was
the Secretary of one Samaj Bhushan Co-operative Society.
This sale deed is dated 31/10/1992 and on 06/05/1995 the
correction deed was got executed. The said plot was described
as Plot No.143/H. In the year 2000 it was noticed by the
complainant that Plot No.143/H was shown as Plot No.147.
Then in the year 2003 complainant issued a legal notice to the
applicant and after meeting the applicant in the year 2010 he
has filed the present report in August 2017. It is submitted

that there is considerable delay in lodging the report and vague allegations have been made therein. Merely to overcome the requirement of filing civil proceedings, the report has been lodged. It is submitted that pursuant to the interim order, the applicant has co-operated in the investigation.

The application is opposed by the learned Additional Public Prosecutor by relying upon the reply. It is submitted that about 6-7 complaints of similar nature have been received against the present applicant and hence his custodial interrogation is necessary.

On perusal of the First Information Report, it can be seen that though the plot in question was purchased in the year 1992, the complainant did not take necessary steps for a considerable period. Despite issuing notice in January 2003 and having met the applicant in the year 2010, present report has been lodged in August 2017. Considering the nature of allegations, I find that the applicant is entitled for protection. He can be directed to co-operate with the investigation.

Accordingly, in the event of applicant's arrest in connection with Crime No.504/2017 registered at Police Station Gittikhadan, Dist. Nagpur for the offences punishable under Sections 420, 465, 467, 468, 471 of the Indian Penal Code, he is directed to be released on bail on furnishing PR Bond of Rs.20,000/- (Rupees Twenty Thousand) with one surety in the like amount.

The applicant shall attend the concerned police station as and when directed by the Investigating Officer.

The applicant shall not take any steps to influence the prosecution witnesses.

The observations made in this order are only for deciding this application which is allowed and disposed of.

JUDGE