

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****ANTICIPATORY BAIL APPLICATION NO. 242 OF 2018**

Arvind Kisan Patil & Ors.

....Applicants.

Vs.

The State of Maharashtra

....Respondent.

Mr. Amit Date with Ms. Anjali Thakkar i/by Satishkumar chettiyar for the Applicants.

Smt. Rutuja Ambekar APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.

DATE : 29th JUNE, 2018.

P.C.:-

By an order dated 8th February 2018, the Applicants were granted interim relief. By a subsequent Order dated 22nd February 2018, the Applicants were directed to attend the Investigating Officer on stipulated dates and to join the process of investigation.

2 Heard Mr. Date the learned counsel for the Applicants and the learned APP. Perused the record of investigation.

3 The present crime is registered in furtherance of the Order passed by the learned Judicial Magistrate, First Class, Vasai under Section 156(3) of the Code of Criminal Procedure on 28th May, 2015 on a complaint made by the first informant Shri Virendra Pawar under

Sections 420, 465, 467 read with Section 34 of the Indian Penal Code.

The prime allegation of the first informant is that, the Applicant No.1 herein, got a sale deed of the property in question registered on 9th January 2009 with the office of Sub-Registrar of Assurances, Vasai-II by giving a false declaration that, all the members who have executed the concerned power of attorney are alive and the power of attorney is not revoked till the date of registration of the said agreement. That, the Applicant Nos. 2 and 3 had signed the said agreement/sale deed as witnesses.

4 The record of investigation indicates that, in furtherance of the Order issued by this Court, the Applicants have attended the Investigating Officer and joined the process of investigation. The necessary documents involved in the present crime have already been seized by the police and nothing further is to be recovered from the Applicants.

5 After perusing the entire record, this Court is of the view that the custodial interrogation of the Applicants for further investigation of the present crime is not necessary and the Applicants can be granted pre-arrest bail.

In view of the above, the interim relief granted by Order

dated 8th February 2018 is hereby confirmed. However, the condition to attend the Investigating Officer is waived.

6 Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)