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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION No. 477 OF 2018

Rajendra Dattatraya Kasegaonkar ... Applicant
Vs.
The State of Maharashtra ... Respondent

Mr. Shekhar Arvind Ingawale, for the Applicant.

Mr. Y. M. Nakhwa, APP for the Respondent – State.

CORAM : P. N. DESHMUKH, J.

DATE : APRIL 9, 2018

PC :-

1. In spite of last chance being granted on an earlier date, learned APP seeks further time for want of presence of Investigating Officer.
2. Heard learned counsel for Applicant and learned APP for Respondent. By this application anticipatory bail is sought in C. R. No. 46/2018 registered with Juna Rajwada Police Station, Kolhapur for the offences registered under Section 420, 143, 148, 323, 352, 427, 379, 504, 506 of Indian Penal Code and Section 25 and 27 of the Arms Act, contending that Applicant is falsely implicated in the crime.
3. By interim order dated 15th March, 2018 Applicant is

protected from arrest with direction to attend the Investigating Officer. While considering grant of interim protection, this Court has noted that from the Agreement of Sale filed in support of the application, Applicant is found to have entered into agreement of sale with complainant in respect of Flat No. 108 purchased by Applicant for full and final consideration of Rs. 16,75,000/-. From this document, it is established that said amount is fully paid by Applicant by obtaining loan of Rs. 11,00,000/- LIC Housing Finance, Rs. 3,85,000/- is paid by cheque issued against against Janata Sahakari Bank, Pune, branch at Kolhapur and Rs.1,90,000/- in cash. All the above stated entries are fully supported with the document on record being bank statement of Applicant and statement of LIC Housing Finance and money receipts. In view thereof, there appears no reason for complainant to claim any further amount to the extent of Rs. 2,85,000/-. In the circumstances, interim order is liable to be confirmed. Hence, following order:

Interim order dated 15th March, 2018 stands confirmed on the same terms and conditions with direction to Applicant to attend Investigating Officer, if called till filing of the charge-sheet.

Sd/-
[P. N. DESHMUKH, J.]