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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 702 OF 2018

Santosh Kisan Bhegade

..Applicant

Vs

The State of Maharashtra

..Respondent

Mr. P.G. Sarda for Applicant.

Mr. J.S. Lohokare, APP for State.

Mr. Nitin Laxman N., API, Wadgaon Maval Police Station present.

CORAM : A.S.GADKARI, J.

DATE : 28th November 2018.

P.C.:

1] The applicant is apprehending arrest in CR No. 152 of 2017 dated 9.9.2017 registered with Vadgaon Maval Police Station, Pune under sections 420, 464, 467, 468, 471, 120(b) read with 34 of Indian Penal Code.

2] Heard the learned Counsel for the applicant and the learned APP. Perused the record of investigation.

3] The first information report is lodged by Mr. Shantilal Rathod aged about 85 years. The prosecution case is that, the applicant in connivance with accused No.2 Prafful Nanda, by manufacturing and/or preparing bogus documents got the immovable property of the first informant namely, piece and parcel of land bearing Gut No.24, admeasuring about 4 hector and 60 ares (i.e.

11.5 Acres) lying and situated at village Pavalwadi, Taluka Maval, District Pune transferred in their name.

4] The learned counsel for the applicant submitted that, the investigation of the present crime is solely based on documents which have already been seized by the police and nothing is to be recovered from the applicant. He therefore prayed that the applicant may be granted pre-arrest bail.

5] The record indicates that, the applicant in connivance with accused No.2 Prafful Nanda who represented himself as Shantilal Rathod, got the said document dated 19.8.2017 executed before the Sub-Registrar of Assurances, Vadgaon, Maval, District-Pune. The accused No.2 Prafful Nanda while impersonating himself as Shantilal Rathod has further manufactured and/or created bogus documents such as PAN Card and other related documents which are necessary for registration of a document. The record reveals that, at the instance of applicant, the co-accused namely Sandip Lanke and Anand Chitodia acted as agents and Santosh and Madan Vaje remained as witnesses for execution of the said document and are now absconding. It is further revealed that, the first informant and the applicant are residing in the same vicinity and the applicant is aware about the immovable property owned by the first informant. The applicant only knows the whereabouts of the other absconding accused persons. The Investigating Agency is yet to trace out the persons who helped applicant in preparing the said bogus document. Even otherwise, it is the applicant who is

main perpetrator and ultimate beneficiary of the present crime and therefore his custodial interrogation is necessary by the police.

6] In view of the above and after taking into consideration the serious allegations against the applicant and the gravity of the offence, this Court is of the considered view that, the applicant does not deserve to be protected by pre-arrest bail.

Application is accordingly rejected.

7] At this stage, the learned counsel for the applicant submitted that, the applicant intends to challenge the present Order before the Honourable Supreme Court and submitted that interim relief granted by Order dated 10th April 2018 may be extended for a period four weeks from today.

In view thereof, interim relief granted by Order dated 10th April 2018 shall remain in force for a period of five weeks from today.

(A.S.GADKARI, J.)