

Dond

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

ANTICIPATORY BAIL APPLICATION NO. 860 OF 2018

Kiran Shrimant Waybhat & Anr.

..Applicants

Vs

The State of Maharashtra

..Respondent

Mr. Rajiv Patil, Senior Advocate I/b Hasan Patel for applicant.

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

CORAM : A.S.GADKARI, J.

DATE : 9th August 2018.

P.C.:

1] The applicant was granted interim relief by an Order dated 25th April 2018 and was directed to attend the Investigating Officer on stipulated dates.

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

3] The first information report is lodged on the basis of an Order under section 156(3) of Cr. P.C in a private complaint filed by Ambo Mahadu Harad. The prosecution case in brief is that, the land belonging to the first informant was purportedly shown to have been taken on lease by

the applicant No.1 for the educational institution of the applicant No.1 namely Yashodeep Samjik Vikas Sanstha for conducting the practicals of their agricultural college on it. It is alleged that, the Lease Deed dated 1.12.2016 pertaining to the said land is a forged and fabricated Lease Deed and the sons of the informant namely Shankar and Harishchandra never executed the said document. It is alleged that the applicant No.2, the grand-son of the first informant in connivance with applicant No.1 has executed the said document.

4] The record indicates that, as of today the said land has been resumed in the possession of Ambo M. Harad. The police have already taken handwriting specimen of the applicants and concerned witnesses and sent it to the handwriting experts for its analysis.

In view thereof, the custodial interrogation of the applicants for further investigation in the present crime is not necessary. However, the applicants can be directed to attend the Investigating Officer as and when called for till submission of final report and/or till receipt of handwriting expert's report.

5] In view thereof, interim relief granted by Order dated 25th April 2018 is hereby confirmed. However, the applicants are directed to attend

the Investigating Officer as and when called for between 10.00 a.m to 1.00 p.m on receipt of a notice under section 160 of Cr. P.C. and to join the process of investigation till submission of final report.

6] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)