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

CRIMINAL APPLICATION NO. 577 OF 2013

Smt. Vatsala Valku Yashwantrao & Anr

..Applicants

Vs

The State of Maharashtra & Ors.

..Respondents

Mr. A.S. Kulkarni for Applicants.

Ms. Rutuja Ambekar, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 20th FEBRUARY 2018.

P.C.:

1] This is an application for cancellation of anticipatory bail granted to the respondent Nos.2 and 3 by the learned Sessions Judge, Kalyan in A.B.A. No.730 of 2013 by its Order dated 26th September 2013.

2] Heard the learned Counsel for the applicants and the learned APP. Perused the record annexed to the application and the record of investigation.

3] The respondent Nos.2 and 3 are the accused in CR No.I-67 of 2013. It is the prosecution case that, the respondent Nos.2 and 3 who are their close relatives, forged and fabricated the signatures of the applicants on a power of attorney and produced the same before the Revenue Authority. The record clearly indicates that there are civil litigations

pending inter-se between the parties pertaining to the same piece and parcel of land. It further appears that the first informant is not even a party to the disputed document in question. The other documents have already been seized by the police.

4] The Trial Court has recorded a finding that, the documents which are already produced on record can be sent to hand-writing expert for ascertaining signatures thereon. In view thereof, the investigation of the present crime could not proceed further only because of the pendency of the present application and nothing else. The Investigating Officer has also did not take any pains to conclude the investigation on the basis of documents which are already seized by him and has treated the present application as an impediment in concluding the investigation despite there being the said observation by the Trial Court.

5] May that as it may, after perusing the record and the impugned Order dated 26.9.2013 passed by the Trial Court, this Court is of the considered view that there is no error either in law or on facts in the impugned Order.

Application is accordingly rejected.

(A.S.GADKARI, J.)