

ANTICIPATORY BAIL APPLICATION NO.1877 OF 2017

Versus

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Mr. Rajan Salvi, APP for the Respondent -State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 5th SEPTEMBER, 2018.

P.C.:-

This is an application under Section 438 of the Cr.P.C. filed by the Applicant apprehending his arrest in C.R. No.359 of 2017 registered with Jail Road Police Station, District-Solapur, for the offences punishable under Sections 420, 465 and 468 of the Indian Penal Code.

2. Heard Mr. Ujwal Agandsurve, the learned counsel for the Applicant and Mr. Rajan Salvi, the learned APP for the Respondent-State. I have perused the records and considered the submissions advanced by the learned counsels for the respective parties.

3. The aforesaid crime was registered pursuant to the FIR

lodged by one Prashant Anand Salunke. The FIR prima facie indicates that the Applicant had sold to the first informant a portion of his property (plot No.4) for total consideration of Rs.6,00,000/-. The first informant has alleged that the said property was already sold to one Ulhas Soni on 14.5.2017.

4. The records reveal that during the pendency of this application, the Applicant herein has deposited sum of Rs.6,00,000/- with the registry of this Court. The learned counsel for the Applicant also makes a statement that he has no objection, if the said amount is paid to the first informant.

5. The learned APP submits that the investigation is completed and that the presence of the Applicant is not required for the purpose of investigation.

6. Considering the above facts and circumstances, in my considered view this is not a case which would warrant custodial interrogation. Hence, the application is allowed on following terms and conditions:-

- (i) In the event of arrest of the Applicant in C.R. No.359 of 2017 registered with Jail Road Police Station, District-

Solapur, the Applicant be released on bail on furnishing bail bonds of Rs.25,000/- with one or two solvent sureties in the like amount to the satisfaction of the Investigation Officer.

(ii) The Applicant shall furnish permanent as well as temporary address, if any, and his contact details to the Investigation Officer.

(iii) The Applicant shall not change his residential address without prior intimation to the Investigation Officer.

7. Registry to issue notice to the first informant and to pay to him the amount of Rs.6,00,000/- deposited by the Applicant before this Court after verifying the identity of the first informant.

(SMT. ANUJA PRABHUDESSAI, J.)