

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

ANTICIPATORY BAIL APPLICATION NO. 2504 OF 2018

Arvind Premchand Jain	...Applicant.
Vs.	
The State of Maharashtra	...Respondent.

WITH

ANTICIPATORY BAIL APPLICATION NO. 2473 OF 2018

Ramesh Dattatraya Adhav	...Applicant.
vs.	
The State of Maharashtra	...Respondent.

WITH

ANTICIPATORY BAIL APPLICATION NO. 2474 OF 2018

Shyam Dattatraya Adhav	...Applicant.
vs.	
The State of Maharashtra	...Respondent.

Mr. Aniket Nikam i/by Chetan Damre for the Applicant in ABA No.2504/2018.
Mrs. Rutuja Ambekar, APP for the Respondent-State.
Mr. V.P.Sawant with Mr. Prabhakar Jadhav for the Applicants in ABANO.2473
and 2474/2018.
Mr. Hemant Zanjad for the Intervener.

CORAM : A.S.GADKARI, J.
DATE : 20th December, 2018

P.C.

1. The applicants in ABA Nos. 2473 of 2018 and 2474 of 2018 have been granted interim relief by a reasoned Order dated 4.12.2018. The applicant in ABA No. 2504 of 2018 was granted interim relief by an Order dated 6.12.2018.
2. Heard the learned counsel for the applicants, the learned counsel for the Intervener and the learned APP. Perused the record of investigation.
3. As noted in Order dated 4.12.2018, there is delay of 22 days in lodging the present crime. The record further indicates that, the first informant after 26.9.2018 till lodgment of the FIR tried to settle the matter with the applicant Arvind Jain and after the talks of settlement failed, the present crime has been registered belatedly.
4. Today Mr. Sawant, learned counsel for the applicants Ramesh Adhav and Shyam Adhav tendered across the bar, a notice sent by Shri. Bhushan Nanekar through his Advocate claiming to be the owner of the premises in question. By the said notice the applicants and others have been called upon to reconstruct the structure/shade in question within stipulated period failing which the said Shri. Bhushan Nanekar would adopt appropriate civil proceeding in the Court of law. It is to be noted here that, the first information report is lodged by Vikas Bhimsen

Nanekar and not by the alleged owner Shri. Bhushan Nanekar.

4. In view of the above, the interim relief granted by Orders dated 4.12.2018 in ABA Nos. 2473 of 2018 and 2474 of 2018 and 6.12.2018 in ABA No. 2504 of 2018 are hereby confirmed.

Applications are allowed in the aforesaid terms.

(A.S. GADKARI, J.)