

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.896 OF 2018

(MOHD. FAYYAZ AHMED MOHD. YASIN...VS.. STATE OF MAH. THR. PSO PS DEOLAPAR, DIST.
 NAGPUR)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

 Shri C.R.Thakur, Advocate for Applicant.
 Shri T.A.Mirza, A.P.P. for Respondent/State.

CORAM : Z.A.HAQ, J.

DATED : OCTOBER 06, 2018.

Heard.

The applicant is arrested on 18th August 2018 in connection with Crime No.185 of 2018 registered by the non-applicant against nine accused (including the applicant) for the offences punishable under Sections 462, 468, 471, 420, 379 and 34 of the Indian Penal Code.

The First Information Report is registered on the complaint lodged by Meharunnisa that the accused had stolen a cheque from the almirah of the first informant and forging her signature, amounts of Rs.7,60,000/- and Rs.20,000/- were withdrawn. According to the Investigating Agency, the amount is deposited in the account of the applicant and another co-accused Shabana.

The learned advocate for the applicant has submitted that the complaint is lodged after about two years of the alleged incident. It is further submitted that the story of the complainant is doubtful as the bank has honoured the cheque and if the signature on the cheque would have been forged, the cheque would not have been honoured.

Be that as it may, considering the facts of the case that the applicant is aged about 65 years and is not involved in any other crime/offence and as the non-applicant has not been able to show that further custody of the applicant is required for investigation, following order is passed:

The applicant, having been arrested in connection with Crime No.185 of 2018 registered by the non-applicant, he be released on bail on executing P.R. Bond for Rs.Fifty Thousand and furnishing two solvent sureties in the like amount.

The application is **allowed** accordingly.

CRI.APPLN.NO.1665/2018.

In view of disposal of the bail application, the instant application praying for grant of time to file certified copy of impugned order, bail application and say of APP filed before Sessions Court, does not survive, hence, it is **disposed**.

JUDGE

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