

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 345 OF 2019

Mahesh Laxman Bagwe	...	Applicant
V/s.		
The State of Maharashtra & Anr.	...	Respondents

Mr.I.A. Patel for Applicant.
Mr.R.M. Pethe, A.P.P. for Respondent-State.
Mr.M.V. Patel, P.I., Worli Police Station, Mumbai.

CORAM : A.S. GADKARI, J.

DATE : 10th April 2019.

P.C. :

1] By an order dated 8th February 2019 the applicant was granted interim relief and was directed to attend the Investigating Officer on stipulated dates, to join the process of investigation.

2] Heard the learned counsel for the applicant and the learned APP for the State. Perused the record of investigation.

3] The record indicates that in pursuance of order dated 8th February 2019, the applicant has attended the Investigating Officer and has co-operated in the process of investigation. The record further

indicates that the statement made by the informant in first information report that there were 900 ineligible occupants in the said Mahalaxmi SRA Co-operative Housing Society is incorrect and there are approximately 255 such occupants which have allegedly submitted the report from BEST about the electricity connection. Thus, *prima-facie*, it appears that the statement of the first informant in the first information report is filled with exaggeration. The said witness appears to be partly reliable and partly unreliable.

4] In view thereof, interim relief granted by order dated 8th February 2019 is hereby confirmed. However, the condition to attend the Investigating Officer is waived.

5] Application is allowed in the aforesaid terms.

[A.S. GADKARI, J.]