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

ANTICIPATORY BAIL APPLICATION NO. 637 OF 2018

Suresh Ramdular Singh & Ors.

..Applicants

Vs

The State of Maharashtra & Anr.

..Respondents

Mr. Omprakash Dubey for the Applicants.

Mr. Amit Palkar, APP for the State.

CORAM : A.S.GADKARI, J.

DATE : 5th April 2019.

P.C.:

1] By a reasoned Order dated 10th April 2018, the applicants were granted interim relief and were directed to attend the Investigating Officer on stipulated dates, to join the process of investigation.

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

3] The learned APP on instructions submitted that, in pursuance of above Order, the applicants attended the Investigating Officer and have co-operated in the process of investigation.

4] The record indicates that, after the suit filed by the informant was dismissed by the Small Causes Court, the present crime has been registered. The record further indicates that, the informant filed a Civil Writ

Petition bearing No.14158 of 2017 in this Court and by an Order dated 27thh November 2018 the applicants were directed to restore possession of the suit property in favour of the first informant. The said Order has already been complied with. It further appears from the record that, in furtherance of the said Order in the Writ Petition, 21 articles are handed over to the first informant by the applicants. Prima facie, it appears that, after being unsuccessful before the Small Causes Court for not getting possession of the suit premises, the informant has filed the present crime. The record indicates that, in furtherance of Order dated 6th August 2018 the applicants have deposited Rs.40,000/- in the Registry of this Court towards value of the articles which could not be recovered by the police.

5] In view of the above, the applicant is entitled to be protected by pre-arrest bail.

Interim relief granted by Order dated 10th April 2018 is hereby confirmed. However, the condition to attend the Investigating Officer is waived.

6] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)