

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

ANTICIPATORY BAIL APPLICATION NO.1093 OF 2019

Jayesh Krishnakant Parekh & Ors.

.... Applicants

versus

The State of Maharashtra

.... Respondent

.....

- Mr.A.P. Mundargi, Senior Advocate i/b. Satyajeet P. Dighe, Advocate for Applicants.
- Mr.P.S. Hingorani, a/w Mr.Vijay Agar, Advocate for complainant.
- Mr.Prashant Jadhav, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 10th JUNE, 2019

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.170/19 registered with Sarkarwada Police Station, Nashik, under sections 387, 467, 354, 354-D, 341 r/w 34 of the Indian Penal Code.

2. The FIR is lodged by one Anupama Ranjit Patil. According to her, her husband lost his life in an accident on

09/01/2018. After a few days of his death the present Applicants approached her and represented that her deceased husband had executed certain documents showing agreement for sale of some properties. The first informant has further mentioned in her FIR that all these Applicants were constantly pressurizing her. According to the first informant such documents were shown to her after her repeated insistence. She found out that those documents were forged. Still the Applicants were forcing her to honour such documents. It is further mentioned in the FIR that she was constantly harassed and threatened and on one occasion the Applicant No.1 and 2 behaved indecently with her outraging her modesty. With such allegations FIR was lodged.

3. Heard learned Senior Counsel Mr.A.P. Mundargi for the Applicant, learned APP Mr.Prashant Jadhav for the State, and learned Counsel Mr.P.S. Hingorani for the first informant.
4. Mr.Mundargi submitted that the Applicant No.3 has

filed Civil Suit vide Special Civil Suit No.386/18 against the informant and her children for specific performance of the agreement. That suit was filed on 26/09/2018. That suit is still pending. He invited my attention to a public notice published in a Newspaper at Nashik dated 28/09/2018, in respect of transaction entered into by the Applicants with the informant's husband Ranjit Patil. He submitted that as a counter blast to this litigation, the first informant has lodged her FIR. He further submitted that the documents which she has claimed to be forged are not forged documents. They bear signatures of the deceased Ranjit Patil.

5. Learned APP on the instructions of Investigating Officer submitted that the notary has given a statement that those documents were in fact signed by the deceased Ranjit Patil. Therefore there is no forgery. In this background, it appears that there is a possible civil dispute between the parties. Learned Counsel for the informant submitted that the matter is not only limited to the dispute about the execution of

documents, but a helpless widow is constantly harassed by the present Applicants and therefore they do not deserve relief of anticipatory bail.

6. I have considered the submissions made by the learned Counsel for the parties. The particular submission of the first informant that the Applicants are relying on forged documents, does not appear to be true, as the investigation papers show that the deceased Ranjit Patil had signed those disputed documents. Insofar as the other allegations of harassment caused to the first informant are concerned, such allegations can be taken care of by imposing conditions on the Applicants. In this backdrop, custodial interrogation of the Applicants is not necessary. Hence, the following order :

ORDER

- (i) In the event of their arrest in connection with C.R.No.170/19 registered with Sarkarwada Police Station, Nashik, the Applicants are

directed to be released on bail on their furnishing PR bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each with one or two sureties each in the like amount.

- (ii) The Applicant Nos.1 and 3 shall report to Sarkarwada Police Station, Nashik, on every Saturday and Sunday between 03.00 to 05.00 p.m. till filing of the chage-sheet.
- (iii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)