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

ANTICIPATORY BAIL APPLICATION NO. 1445 OF 2017

Deepak Bhavandas Bhojwani & Anr.	...	Applicants
Vs		
The State of Maharashtra	...	Respondent

**WITH
CRIMINAL APPLICATION NO. 785 OF 2017
IN
ANTICIPATORY BAIL APPLICATION NO. 1445 OF 2017**

Bharat Kaluram Patil	...	Intervener
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In the matter between :-

Deepak Bhavandas Bhojwani & Anr.	...	Applicants
Vs		
The State of Maharashtra	...	Respondent

Mr.Sandeep Pasbola a/w. Mr.Bhavesh Thakur i/b. Mr.Prajyot Shrivastav for Applicant.

Ms.Rutuja Ambekar, APP for State.

Mr.A.S. Kale for Intervener.

**CORAM : A.S.GADKARI, J.
DATE : 12th March 2019.**

P.C.:

1] By a reasoned order dated 7th September 2017 the applicants were granted interim relief.

2] Undoubtedly the alleged transaction in the present case or the alleged forged document is of the year 1998. When the informant went to

the Police Station with the similar set-of grievance, the police refused to lodge FIR. It is only after an order passed under Section 156(3) of the Code of Criminal Procedure, the criminal law is set into motion. There is no justifiable reason advanced by the police for seeking custody of the applicants at such a belated stage. It further *prima-facie* appears that as the prices of land have risen very high in the said vicinity, the informant thought it fit to claim that the document in-question executed by his father is a forged document. Otherwise also, the investigation of the present crime is solely based on documents which are already seized by the police.

3] In view of the above, interim relief granted by order dated 7th September 2017 is confirmed. However, the condition to attend the Investigating Officer is waived.

4] Application is allowed in the aforesaid terms.

5] In view of disposal of the Anticipatory Bail Application, Intervention Application being Criminal Application No. 785 of 2017 does not survive and is accordingly disposed off.

(A.S.GADKARI, J.)