

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

ANTICIPATORY BAIL APPLICATION NO.2150 OF 2019

Mr. Chandrakant Narayan Bhoir ... Applicant

Versus

The State of Maharashtra. ... Respondent

Mr. Kuldeep Patil i/b. Saili Naresh Dhuru, Advocate for the Applicant.
Mr. S. H. Yadav, APP for the State/Respondent.

CORAM :- SARANG V. KOTWAL, J.

DATE :- 03rd OCTOBER, 2019

P. C. :-

1. The Applicant is seeking anticipatory bail in connection with C.R.No. 31 of 2019 registered with Dadar Coastal Police Station, Raigad, under Sections 417, 419, 420, 465, 467, 468 and 471 r/w. 34 of the IPC.

2. The FIR is lodged by one Dinesh Harilal Sanghavi. He has stated that he had purchased land bearing survey No.84/4, admeasuring 6 Acre, 2 R at village Hamarapur, in the year 1998. The revenue record mentioned his name and his son's name as the owners

of the property. That land was in his possession. In the year 2019 the informant came to know that the name of the informant was substituted with the names of Ramesh Patil and Santosh Pawar on the 7/12 extract of the said land. He made inquiries and came to know that, through forged registered sale deed, the aforementioned Ramesh Patil and Santosh Pawar had got their names entered in the revenue records. On this basis, the FIR is lodged.

3. Heard Mr. Kuldeep Patil, learned counsel for the Applicant and Mr. S. H. Yadav, learned APP for the State/Respondent.

4. Shri. Patil submitted that the applicant has not derived any benefit from the transaction. He has merely signed as one of the identifying witnesses. His own identification documents were not forged. He has used his own documents. He was misled by the impostors and their fake identity cards, therefore, the applicant himself is a victim. Learned APP opposed these submissions and pointed out that the registered sale deed shows that the applicant had identified the executants of the sale deed.

5. I have considered these submissions and I have perused the registered sale deed. An identification made by the applicant does

not show that he was identifying the purchasers in that sale deed. It shows that he was identifying the parties who had executed that document that included impostors also. In this view of the matter, to find out the identity of the impostors, custodial interrogation of the applicant is necessary. Hence, no case for anticipatory bail is made out.

6. The application is rejected.

(SARANG V. KOTWAL, J.)