

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CRIMINAL APPELLATE JURISDICTION****ANTICIPATORY BAIL APPLICATION NO. 2612 OF 2018**

Prakash Babu Uttekar

....Applicant.

Vs.

The State of Maharashtra

....Respondent.

Mr. P.A. Bhangale for the Applicant.

Ms. J.S. Lohokare APP, for the Respondent-State.

Mr. Bodke, PSI, Gamdevi Police Station.

**CORAM : A. S. GADKARI, J.**

**DATE : 13<sup>th</sup> MARCH, 2019.**

**P.C.:-**

By reasoned Order dated 18<sup>th</sup> December, 2018, 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 appearing for the Applicant and the learned APP. Perused the record.

The record indicates that the principal accused Shri. Suresh Patil, the Chairman of the Deshbhushan Co-operative Housing Society Limited has been granted pre-arrest bail by this Court by reasoned order dated 15<sup>th</sup> February 2018.

3           The allegation against the Applicant is that, he was a Committee Member along with Shri. Suresh Patil who signed the documents thereby permitting transfer of certain premises in favour of the informant, though they were not having lawful authority. The record suggests contrary to the same and therefore, the principal accused was granted relief by this Court. The Applicant is therefore, entitled to be granted pre-arrest bail on the ground of parity.

4           In view thereof, interim relief granted by order dated 18<sup>th</sup> December, 2018, is hereby confirmed. However, the condition to attend the Investigating Officer of the concerned Police Station is waived.

Application is allowed in the aforesaid terms.

**(A.S. GADKARI, J.)**