

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR**

CRIMINAL APPLICATION (BA) NO.968/2019

Rajvilas @ Vilas Gomaji Moon

..vs..

The State of Mah., thr. PSO PS Pulgaon, District Wardha

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

.....
Shri R.M.Daga, Counsel for the Applicant.
Shri N.R.Rode, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.
DATED : NOVEMBER 26, 2019.

1. Heard learned counsel Shri R.M.Daga for the applicant and learned Additional Public Prosecutor Shri N.R.Rode for the State. Also, perused reply filed on behalf of the State.

2. The applicant is arrested in connection with Crime No.570/2019 registered with Pulgaon Police Station, District Wardha for offences punishable under Sections 420, 468, and 471 read with Section 34 of the Indian Penal Code.

3. Primarily, the application is opposed on behalf of the prosecution on the ground that chargesheet is yet to be filed.

4. Ashish Panjabrao Jode, lodged report with Pulgaon Police Station, Wardha. The said First Information Report is dated 5.9.2019. As per reply by the State, in the First Information Report it is stated that his grandmother Devkabai and her sister Rukmabai had purchased a land

bearing survey No.101/2. The reply shows that after death of these two ladies, names of their legal representatives were not brought on record. As per the reply, in the year 2019 first informant Ashish Jode got knowledge that from and out of total land holding i.e. 2.42 HR, 1.57 HR has been sold to Vasanta Hatmode by grandmothers Devkabai and Rukmabai. It is stated that said Vasanta received compensation Rs.43,40,045/- from the State Government as the said land was acquired for "Samruddhi Mahamarg." In the report, it is stated that Vasanta prepared false sale-deed and got his name mutated in official record. As per the reply, on 9.7.2018 the said amount was deposited in Canara Bank Account of said Vasanta and subsequently the said amount was distributed between Vasanta, Bhaskar, and present applicant.

5. It is not in dispute that forged sale-deed is in the name of Vasanta, who is behind bars. It is also noticed from the reply by the State that the amount of compensation was deposited in account of Vasanta and then the said amount was transferred in bank accounts of Bhaskar and present applicant. It is reported to this Court that said Bhaskar is released on anticipatory bail. Except the fact that the applicant received the amount, there is no other allegation against him.

6. In this view of the matter, I pass following order:

ORDER

(a) The criminal application is allowed.

(b) Applicant-Rajvilas @ Vilas Gomaji Moon, in connection with Crime No.570/2019 registered with Pulgaon Police Station, District Wardha for offences punishable under Sections 420, 468, and 471 read with Section 34 of the Indian Penal Code, be released on bail on his executing a P.R.Bond in the sum of Rs.50,000/- with one solvent surety of the like amount.

(c) The applicant is directed to attend the police station twice a week i.e. on every Thursday and Friday of each week and shall be with Investigating Officer from 11:00 a.m. and 5:00 p.m., till filing of chargesheet.

(d) After chargesheet is filed, the applicant shall attend the police station once in a month i.e. on every Friday of each month., till culmination of Trial.

With this, the criminal application stands disposed of accordingly.

JUDGE

!! BRW !!

...../-