

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

ANTICIPATORY BAIL APPLICATION NO.118 OF 2020

Yougesh Chandane .. Applicant

Vs.

State of Maharashtra .. Respondent

.....

Mr.Shriram Chaudhari i/b. Mr.nanaso V. Gaikwad, Advocate for the Applicant.

Mr.S.S. Pednekar, APP for the Respondent - State.

.....

CORAM : PRAKASH D. NAIK, J.

DATED : JANUARY 16, 2020.

P.C. :

This is an application for anticipatory bail in connection with C.R.No.1291 of 2019, registered with Pandharpur City Police Station, Solapur Rural, for the offences punishable under Sections 417, 420 and 468 read with 34 of Indian Penal Code ("IPC", for short).

2 The complaint was lodged by Smt.Malan Sontakke on 12th August, 2019, alleging that she was in need of flat. Hence, she had spoken to her neighbour Yunus Shaikh. Yunus Shaikh had introduced applicant to complainant. In January 2016, applicant

and Raju Suhani visited the house of the complainant. They informed that uncle of the applicant owns a plot of land and he intend to sell it. The plot is situated at Pandharpur. Complainant was taken to Pandharpur by applicant and others. They were introduced to one person whose name was Mahadev Govind Gholap. Complainant was shown the plot of land situated at Gat No.71/1 (Plot No.22 admeasuring 270 sq. meters). Mahadev Govind Gholap stated that he is the owner of the plot and value of the plot is Rs.3,60,000/-. The complainant was informed that they would execute the agreement to sale by accepting Rs.3,00,000/-, and the balance amount of Rs.60,000/-, was to be paid at the time of executing sale-deed. On 6th April, 2016, the complainant was taken to the office of Sub-Registrar by the applicant and other accused. The complainant parted Rs.3,00,000/-. Sale-Deed was not executed. She inquired with Yunus Shaikh. He could not contact the aforesaid person. Notice was issued to Mahadev Govind Gholap. The notice was returned back with endorsement that the said person could not be traced. The complainant then learnt that the documents, such as, Aadhar Card were false and fabricated and she was cheated for Rs.3,00,000/-.

was lodged three years after the period of transaction. The agreement was executed between complainant and Mahadev Govind Gholap. The applicant is not concerned with the transaction. Hence, applicant need not be subjected to custodial interrogation.

3 Learned APP submitted that Yunus Shaikh was arrested. During his interrogation, he has disclosed informant that the applicant is the person who had prepared fabricated documents. It was also revealed that the amount was also parted to the applicant.

4 On perusal of the FIR, it is apparent that the applicant had played a vital role in the crime. The complainant was duped by false representation. Forged and fabricated documents were utilized for committing crime. Considering the role attributed to the applicant, case for anticipatory bail is not made out. Hence, anticipatory bail application stands rejected.

(PRAKASH D. NAIK, J.)