

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 440 OF 2020**

Ajit Dattatray Meher	.. Applicant
Versus	
The State of Maharashtra	.. Respondent

...

Mr. Vijay Killedar for the applicant.
Mr. S.H. Yadav, APP for the State.
API Shri N.M. Chougule from Badlapur Police Station present.

**CORAM: BHARATI DANGRE, J.
DATED : 29th NOVEMBER, 2021**

P.C:-

1 Heard the learned counsel for the applicant and learned APP for the State.

2 The complainant has not taken out any application for intervention. He did not file an application though by order dated 24th February 2020, he was granted liberty to do so.

3 The applicant is already protected by an order dated 24th February 2020 and the order remain in force till date.

Tilak

4 When the complaint filed under Section 156(3) of the Cr.P.C, in furtherance of which the offence is directed to be registered by invoking Sections 420, 409, 467, 468 read with Section 34 of the IPC is perused, the allegation appear to be that the property which is standing in the name of the complainant and his brother was projected by the accused persons to be their property and it is alleged that by producing false panchnama, a compensation of Rs.32,52,438/- has been obtained by them. This is the precise allegation in the complaint.

5 Learned counsel for the applicant invite my attention to the 7/12 extract of the land no.33/9 which is the subject matter of the complaint filed under Section 156(3) of Cr.P.C, wherein the name of the complainant Arun Maruti Meher is recorded in the column of ownership along with Laxman Rama Meher, who has received the cheque as alleged in the complaint. The complaint also disclose that he himself and his brother has received compensation amount of Rs.1,47,000/- and Rs.14,00,000/- on two subsequent dates. On perusal of the 7/12 extract, since the land collectively stand in the name of several persons, it appear that the compensation has been awarded by the Reliance Company for acquisition of the said land to the respective shareholders in the said piece of land which is acquired.

6 Learned APP, on instructions of the Investigating Officer who is present in the Court state that the IO is not desirous of custodial interrogation of the applicant, which prompt me to confirm the order dated 24th February 2020 subject to a modification that the applicant shall report to the Investigating Officer whenever called for.

7 The order dated 24/2/2020 is made absolute.

SMT. BHARATI DANGRE, J