

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

**ANTICIPATORY BAIL APPLICATION NO.432 OF 2019  
WITH  
ANTICIPATORY BAIL APPLICATION NO.433 OF 2019**

Vishal Anand Salve ..... Applicant  
Vs.  
The State of Maharashtra ..... Respondent

Mr. Mangesh Patel for Applicant in both Applications.  
Ms. Sharmila S. Kaushik, APP for the State.

**Coram : NITIN W. SAMBRE, J.  
Date : 12TH JULY, 2021**

P.C.:

1. Mr. Patel, learned counsel appearing for the Applicant has invited my attention to the G.R. dated 17<sup>th</sup> July, 2014 so as to claim that once the document is registered under the Registration Act, particularly, in this case on 15<sup>th</sup> November, 2017 and same is received through the Office of Registrar for effecting mutation entry, notices to the seller are not required.

2. He would then claim that after receipt of the documents on 1<sup>st</sup> January, 2018, immediately notices were served to the purchasers by hand and after the approval from the Revenue Inspector as provided under Maharashtra Land Revenue Code, mutation entry was certified on 30<sup>th</sup> January, 2018. As such, according to him, no mensrea could be attributed to the Applicant. He would invite attention of this Court to certain subsequent development, so as to claim that the accused has regularised the fraud as was alleged to have been committed by him by cancelling the disputed document by personally appearing before the concerned Registrar and complainants gave their consent for the same.

3. The aforesaid position can be borne out of the record. In that view of the matter, ad-interim protection ordered in favour of the Applicant by this Court (Coram : Prakash D. Naik, J.) on 20<sup>th</sup> February, 2019 stands confirmed. Hence, the following order :

### **ORDER**

- i) The applications are allowed.
- ii) In the event of arrest of Applicant, in Crime No. I-144 of

2018 and C.R. No. I-145/2018, registered with Dahanu Police Station, the Applicant be released on bail on his executing P.R. bond of Rs.25,000/- with one or more sureties in the like amount, in each case.

iii) The Applicant shall attend the Investigating Officer as and when directed;

iv) The Applicant shall not influence the prosecution witnesses or tamper with the evidence.

**( NITIN W. SAMBRE, J. )**

Note : Corrected as per speaking to minutes of order dt. 17<sup>th</sup> September, 2021 passed by Hon'ble Shri. Justice Prakash D. Naik.