

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.659 OF 2021

Mohd. Inam Sukhrullah Shaikh
versus

Applicant

The State of Maharashtra

Respondent

Mr.aniket Vagal for applicant.

Mr.S.S.Pednekar, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 11th March 2021

PC :

1. This is an application for anticipatory bail in CR No.663 of 2020 registered with Shivaji Nagar Police Station, Govandi for offences under Sections 467, 471, 420 r/w 34 of IPC. The FIR was registered on 6th December 2020.

2. The complaint was lodged by Tayyapan Karupaiya Naidu. It is alleged that the property is a room premises and was rented out by Chairman of Naidu-Mahajan Sangam society Mr.Veluswami Naidu to Bashir Ahmed Hamid Basha. From December-2018 to April 2019 Bashir was paying rent of Rs.25,000/- pm to Personal Assistant of Veluswami Naidu Mr.Ahmed Rashid. On 12th May 2020 Velu Naidu died. The Secretary of society then approached Bashir Ahmed for rent towards office premises which was let out to Bashir Ahmed. He refused to pay the rent. Thereafter Bashir Ahmed claimed that he has leave and license agreement and Rs.12 lakh was deposited towards rent. It was subsequently noticed that electricity bill in respect to said office premises was issued in the name of applicant.

Manish
S. Thatte

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Further inquiry revealed that electricity meter was transferred at the instance of applicant. A sale deed was also executed allegedly between Veluswami Naidu and the applicant claiming that said property has been sold to applicant. The prosecution case is that all these documents are false and fabricated and the accused had acted in connivance with each other to grab the property belonging to the trust.

3. Learned advocate for applicant submits that he has no role to play in the transaction. He is willing to co-operate. The documents are already seized by police. Custody of the applicant is not necessary. Bashir Ahmed is arrested and released on bail.

4. From the FIR and submissions of learned APP it is apparent that the sale deed was purportedly executed with the applicant claiming that the property was sold to him. The electricity meter is also transferred in the name of applicant. Investigation reveals complicity of applicant in crime. Hence, no case for grant of anticipatory bail is made out. The application is rejected.

5. This order will be digitally signed by the Private Secretary of this Court. All concerned will act on production by fax or e-mail of a digitally signed copy of this order.

(PRAKASH D. NAIK, J.)

MST