

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

ANTICIPATORY BAIL APPLICATION NO.1427 OF 2021

Balasaheb Walke	.. Applicant
<i>Versus</i>	
State of Maharashtra	.. Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO.782 OF 2019**

1) Kakasaheb Gopinath Shinde; and	
2) Nitesh Devendra Pradhan	.. Applicants
<i>Versus</i>	
State of Maharashtra	.. Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO.871 OF 2019**

Arvind Dinu Salvi	.. Applicant
<i>Versus</i>	
State of Maharashtra	.. Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO.913 OF 2019**

Mrs.Deepika Rajendra Kore	.. Applicant
<i>Versus</i>	
State of Maharashtra	.. Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO.1068 OF 2019**

Saroj Soni	.. Applicant
<i>Versus</i>	
State of Maharashtra	.. Respondent

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Ms.Sonal Parab i/b. Mr.Rajeev Sawant and Associates, Advocate
for the Applicants in all Applications.

Mr.A.R. Kapadnis, APP for the Respondent-State, in all Applications.

PSI Warang, Kherwadi Police Station, Mumbai, present.

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CORAM : PRAKASH D. NAIK, J.

DATED : JUNE 30, 2021.

P.C. :

Since the common issues are involved in all the applications, the same are disposed of by common order. The applicants in ABA Nos.1427 of 2021, 782 of 2019, 871 of 2019 and 913 of 2019, are apprehending arrest in connection with C.R.No.73 of 2019, registered with Kherwadi Police Station, Mumbai. Whereas, the applicants in ABA No.1068 of 2019 apprehends arrest in connection with C.R.No.57 of 2019, registered with same Police Station.

2 First Information Report ("FIR" for short), in C.R.No.73 of 2019 was registered on 5th March, 2019 for the offences punishable under Section 457, 465, 467, 468, 471 and 420 read with 34 of Indian Penal Code ("IPC", for short).

3 The prosecution case is that as per letter of Executive Engineer, North Mumbai, Division Andheri, the complainant was

authorised for filing complaint against the persons who encroached on the Government land, conducted unauthorised constructions and obtain electric supply on producing false documents. The letter was investigated and it was found that false no objection certificate for installation of electric supply meter was submitted by the accused.

4 The applicant preferred an application for anticipatory bail before the Sessions Court, which has been rejected.

5 C.R.No.57 of 2019, was registered with Kherwadi police station for similar offences on 5th March, 2019, against the accused therein with similar allegations.

6 The applicants were granted interim protection by this Court vide order dated 29th March, 2019, 16th April, 2019 and 10th April, 2019.

7 The contention of the applicants is that they are cooperated with the investigation. Their custodial interrogation is not necessary. They were mislead by the agent to whom the

genuine documents were provided and their signatures were obtained by him for obtaining no objection certificate. All the documents are in custody of the investigating agency. The applicants are conducting their shop since last several years. The offence of tress-pass is not made out.

8 Learned APP submitted that the accused was involved in fabricating letter of no objection for granting electricity connection.

9 The investigation is in progress since 2019. The applicants were granted interim protection by this Court. The matter relates to documents. No purpose would be served by subjecting the applicants to custodial interrogation.

10 Hence, I pass the following order:

:: ORDER ::

- (i) Anticipatory Bail Application Nos.1427 of 2021, 782 of 2019, 871 of 2019, 913 of 2019 and 1068 of 2019, are allowed;

- (ii) In the event of arrest of the applicants in ABA Nos.1427 of 2021, 782 of 2019, 871 of 2019 and 913 of 2019, in connection with C.R.No.73 of 2019, registered with Kherwadi Police Station, Mumbai, and Anticipatory Bail Application No.1068 of 2018, in connection with C.R.No.57 of 2019, registered with Kherwadi Police Station, Mumbai, they may be released on bail on executing P.R. Bond in the sum of Rs.25,000/-, each, with one or more sureties in the like amount;
- (iii) Applicants shall appear before the investigating officer as and when called for;
- (iv) Anticipatory Bail Application Nos.1427 of 2021, 782 of 2019, 871 of 2019, 913 of 2019 and 1068 of 2019, stand disposed of accordingly.

(PRAKASH D. NAIK, J.)