

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1246 OF 2019

1. Malati Kashinath Koli	]	
2. Pushpa Janba Patil	]	
3. Anusaya Mahadev Vaity	]	
4. Shevanti Raghunath Koli	]	
5. Sanjeevni Pramod Koli	]	
6. Sapna Raghunath Koli &	]	
7. Vishal Raghunath Koli	]	... Applicants
V/s.		
The State of Maharashtra	]	... Respondent

WITH

INTERIM APPLICATION NO. 224 OF 2019

IN

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1246 OF 2019

Pratap Namdev Chavan	]	... Intervenor
<u>In the matter between :-</u>		
Malati Kashinath Koli & Ors.	]	... Applicants
V/s.		
The State of Maharashtra	]	... Respondent

Ms.Rupali Rajput i/b. Mr.S.G. Rajput for Applicant.
Mr.Y.M. Nakhwa, A.P.P. for Respondent-State.

CORAM : A.S. GADKARI, J.
DATE : 18th September 2021.

PC. :

1. In pursuance of Order dated 21st August 2021, the Director General of Police, Maharashtra State, has submitted its report dated 6th

September 2021. The remedial measures adopted by the concerned Authority have been briefly stated therein. The said report is accepted and taken on record.

2. As per the said report, Police Inspector Shri Umesh Gawali has now been appointed to investigate the present crime from 3rd September 2021.

Police Inspector Shri Umesh Gawali is personally present in Court today.

3. I have perused the Case Diary so also the record of investigation. As noted in earlier Orders, the Applicant Nos.1 to 6 are illiterate ladies and are not capable of forging the alleged documents involved in the present crime. The investigation carried out by the new Investigating Officer indicates that, co-accused Baliram Mhatre is not the only beneficiary but it is now revealed that, Mr.Sangmay Patel and Mr.Dinesh Mhatre also have substantial participation in the present crime. A report dated 18th September 2021 has been submitted before the Sessions Court at Thane by Police Inspector Shri Umesh Gawali in that behalf. The Investigating Officer through learned A.P.P. fairly submitted that, from the record of investigation, it appears that, the Applicant Nos.1 to 6 have no direct role to play in the present crime.

4. In view thereof and after perusing the entire record, this Court is of the view that, the custodial interrogation of the Applicant Nos.1 to 6 for the

investigation of the present crime is not necessary and they can be protected by pre-arrest bail.

5. Interim relief, granted by Order dated 18th June 2019 is hereby confirmed. However the condition to attend concerned Police Station is waived.

6. Anticipatory Bail Application is allowed in the aforesaid terms.

7. In view of disposal of Anticipatory Bail Application, Interim Application No. 224 of 2019 does not survive and is accordingly disposed off.

[A.S. GADKARI, J.]

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