

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1983 OF 2021**

Abhijeetsingh Jatindarsingh Gujral ... Applicant

Versus

The State of Maharashtra ... Respondents

Mr. A. P. Mundargi, Senior Advocate i/b Chetan Alai, for the Applicant.

Smt. Anamika Malhotra, APP, for the State-Respondent.

Mr. Mandar Goswami, for the Intervener.

CORAM : V. G. BISHT, J.

DATE : 29th November, 2021.

PC:

The applicant is seeking Anticipatory Bail in connection with C.R. No.I-132 of 2021 registered with Mumbai Naka Police Station, District-Nashi, for the offences punishable under Sections 323, 342, 394, 406, 420, 506 of the Indian Penal Code and Section 3/25 of the Arms Act and Section 23 and 25 of Juvenile Justice (Care and Protection of Children) Act, 2000.

**REKHA
PRAKASH
PATIL**

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2 It is the case of prosecution that the informant is the wife of late Jaspalsingh Chaddha. She alleges that accused Anat Pandharinath

Rekha Patil

1/3

Sangale, Ramdas Santu Gore, Abhijeetsingh Jitendrsingh Gujral (applicant) and Suvarna Anant Sangale in collusion with each other forged a Will of her late husband and got the properties transferred in their name. The informant accordingly lodged the report.

3 Mr. Mundargi, learned senior Counsel for the applicant, submits that the Will was prepared on the wish and instructions of the deceased-husband of the informant and after his death various properties came to be mutated as per the Will. Even the names of the children of the deceased are also required as per the Will of the deceased. Despite objections taken by the informant, the Revenue Authority rejected the same. Even she did not file a suit. The complaint is only filed with a view to to pressurize and harass the applicant and also to prevent him from performing his legal duty in accordance with Will.

4 Smt. Malhotra, learned APP, assisted by learned intervener, on the other hand, submits that the investigation is in progress and having regard to the nature of offence, application is liable to be rejected.

5 Perused the record. It appears that the applicant is the son of cousin of the deceased Jaspalsingh Chadhha and had looked after the

deceased in his need. Not only that even he was assisting in the business and property. It is also an admitted position that till date Will in question is not challenged in the Civil Court.

6 Having regard to the fact that the parties are at loggerheads on the point of execution of Will, in my considered opinion, the present case is not of that kind where custodial interrogation is necessary as everything is in the form of documents.

7 In view of above, I am inclined to allow the application. Hence, the following order.

ORDER

- (i) Application is allowed.
- (ii) Ad-interim protection granted by this Court on 27th September, 2021 is confirmed and made absolute.
- (iii) Application stands disposed of accordingly.

(V. G. BISHT, J.)