

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

ANTICIPATORY BAIL APPLICATION NO.1297 OF 2019

Ispras Aavelin Noon Isparance Alecin Nigrel & Ors. ...Applicants

V/s.

The State of Maharashtra

...Respondent

None for Applicants.

Smt. M. H. Mhatre, APP for Respondent (State).

CORAM : A. S. GADKARI, J.

DATE : 31st JULY, 2021.

(Through Video Conferencing)

P.C. :

1. Heard Smt. Mhatre, learned APP for State. Perused record. By Order dated 19th June 2019, the Applicants were granted interim relief and were directed to attend the Investigating Officer on stipulated dates, to co-operate in the process of investigation.

2. Learned APP, on instructions from the Investigating Officer, Mr. Prashant Langi, Senior Inspector of Police, Uttan Sagari Police Station submitted that, in furtherance of Order dated 19th June 2019, the Applicants have attended the Investigating Officer and have cooperated in the process of investigation. That, the specimen handwriting of the Applicants have been taken for the purpose of investigation. She further on instructions submitted that, the investigation of the present crime is

practically completed and the investigating agency will accordingly file charge-sheet within a short period and therefore, the custodial interrogation of the Applicants is not necessary for further investigation of the present crime. She further submitted that, the original Accused Nos.1, 2 and 3, who are the principal Accused in the present crime were arrested and have been released on regular bail by the concerned Court.

3. Perusal of record indicates that, the informant Shri. Vidhyadhar Revankar, has purchased a piece of land from the original owners and not from the Applicants. That, though the Applicants were not the land owners of the suit property purchased by the informant, the Applicants represented themselves to be the landlords and gave power-of-attorney to Accused Nos.2 and 3, who in turn, sold the Suit property to Accused No.1. Record clearly indicates that, the complainant is still in possession of the suit property.

4. Perusal of record would further indicate that, the investigation of the present crime qua the Applicants, pertains to documents in question and in view of the categorical statement made by the Investigating Officer that, the investigation of the present crime is practically on the verge of completion and the custodial interrogation of the Applicants is not necessary, this Court is of the opinion that, interim relief granted by Order dated 19th June 2019, can be confirmed and is accordingly confirmed.

However, the condition to report to the Investigating Officer is waived.

5. Application is allowed in the aforesaid terms.

(A. S. GADKARI, J.)