

Anand

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

ANTICIPATORY BAIL APPLICATION NO. 2131 OF 2019

Pramod Nagaji Mhatre .Applicant

Vs.

The State of Maharashtra .Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO. 2148 OF 2019

Dnyaneshwar Dharma Mhatre .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. Kuldeep Patil a/w. Ms Heena Suvarnakar, Advocate, for the
Applicants

Mr. S. V. Gavand, APP, for the Respondent – State

WITH

ANTICIPATORY BAIL APPLICATION NO. 2169 OF 2019

Ramesh Dattu Patil .Applicant

Vs.

The State of Maharashtra .Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO. 2104 OF 2019

Santosh Dagadu Pawar .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. Kuldeep Patil i/b. Ms Juanita Menezes, Advocate, for the Applicant in ABA No. 2169 of 2019

Mr. Pratap Patil, Advocate, for the Applicant in ABA No. 2104 of 2019

Mr. S. V. Gavand, APP for the Respondent – State

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 06.08.2021

(THROUGH VIDEO CONFERENCING)

P. C.

. These Applications are filed by the aforesaid Applicants apprehending their arrest in Crime No. 31 of 2019 registered with the Dadar Coastal Police Station, Raigad for the offences punishable under Sections 417, 419, 420, 465, 467, 468, 471 r/w. 34 of the Indian Penal Code.

2. The aforesaid crime was registered pursuant to the First Information Report lodged by one Mr. Dinesh Harilal Singhvi alleging that his land bearing Survey No. 84/4 was sold by the impostors to one Ramesh Dattu Pawar, the Applicant in ABA No. 2169 of 2019, who in turn sold the same to Dnyaneshwar Mhatre, the Applicant in ABA Nos. 2148 of 2019.

3. It is to be noted that the Applicants in ABA Nos. 2131

and 2148 of 2019 were the witnesses to the said transaction. These Applicants had not identified the parties to the said Sale Deed. The record, prima facie, indicates that parties to the Sale Deed were identified by Chandrakant Narayan Bhoir and Mohammed Chand Dagadu Shaikh. Prima facie, there is no material to indicate that these Applicants were the beneficiaries of the said transaction. As regards the Applicants Ramesh and Santosh are concerned, they are the purchasers, who had purchased the said land from the impostors on payment of consideration. It is stated that they are the bonafide purchasers and the victims of the crime.

4. Considering the rival submissions and without expressing any opinion on merits of the case, in my considered view, this is not a case which warrants custodial interrogation. Moreover, this Court had granted interim protection to the Applicants way back in the year 2019. It is stated that the Applicants have co-operated with the investigation.

5. Considering the above facts, the Applications are

allowed on the following terms and conditions :-

O R D E R

- (i) In the event of arrest of the Applicants in C. R. No. 31 of 2019 registered with the Dadar Coastal Police Station, Raigad, they be enlarged on bail on furnishing P. R. Bond in the sum of Rs. 25,000/- each with one or two sureties in the like amount;
- (ii) The Applicants shall furnish their current address and mobile contact numbers and / or change of residence or mobile details, if any, to the investigating officer;
- (iii) The Applicants shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

6. The Applications stand disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)