

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

**ANTICIPATORY BAIL APPLICATION NO.2731 OF 2019**

Bhimrav Genu Gade .... Applicant  
Versus  
The State of Maharashtra .... Respondent

Mr. Prasanna Shahane, Advocate i/b. Milind Deshmukh, for  
the Applicant.

Smt. J.S. Lohokare, APP for the Respondent-State.

API Lad Rahul, of Khed Police Station, Pune is present.

**CORAM : SARANG V. KOTWAL, J.**

**DATE : 18<sup>th</sup> SEPTEMBER, 2021**

**P.C. :**

1. The applicant is seeking anticipatory bail in connection with C.R.No.331/2019 dated 25.9.2019 registered at Khed Police Station, Pune Rural under section 420 of the Indian Penal Code.

2. The FIR is lodged by one Manisha Ingavale. She has stated that the applicant was introduced to her by one Hiranman Pawar. The applicant told her that he had a piece of

land available for sale at a reasonable price. On 5.1.2019, he showed the informant the place at village Yalwadi. He showed willingness to sale that land for Rs.5 Lakhs. On 18.1.2019, the applicant called the informant to execute the document and also asked to bring the consideration. The informant had brought Rs.1,60,000/-. The applicant demanded Rs.5 Lakhs. However, she paid Rs.1,60,000/- and promised to pay the balance afterwards. The applicant got her signature on a document which was already typed. The informant has stated that the document mentions that the property was bearing No.360 at village Yelwadi and there was a small house. After that the applicant did not pick up the informant's phone calls and was not available. The informant made enquiries. She was told by the villagers that no such land was available in the applicant's name. On these allegations, the FIR is lodged.

3. Learned counsel for the applicant invited my attention to the document executed between the parties. The document mentions the property number as 360 at village Yelwadi. The document also mentions that the property was

given to the informant only for occupation and without consideration. The informant had signed that document. He further pointed out that the Grampanchayat was assessing this particular property bearing same number for property tax. He relied on the documents in that behalf, copy of which is annexed at Exhibit-A to this application.

4. Learned A.P.P., on instructions, has stated that their investigation has revealed that the property is in existence in the name of the present applicant. Therefore, the basic allegations in the FIR are not supported by the factual aspects transpired during the investigation.

5. Learned A.P.P. also submitted on instructions that the investigating agency does not really want custody of the applicant, but, it would be sufficient if he attends the police station as and when called and cooperates with the investigation.

6. Learned counsel for the applicant stated that the applicant shall cooperate with the investigation.

7. In this background, the interim relief granted to the applicant in December,2019 can be made absolute and final order can be passed. Hence, the following order :

**ORDER**

- (i) In the event of his arrest in connection with C.R.No.331/2019 registered with Khed Police Station, Pune Rural, the applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) Anticipatory Bail Application stands disposed of accordingly.

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Deshmane (PS)

(SARANG V. KOTWAL, J.)