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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2588 OF 2018

- | | |
|-----------------------------|---------------|
| 1. Prabakar P. Devckar | |
| 2. Deepak Thorat | ...Applicants |
| Versus | |
| 1. The State of Maharashtra | |
| 2. Sanjay Devkar | ...Respondent |

Mr. Prashant Goel for the Applicants.

Mr. P.H.Gaikwad-Patil, A.P.P for the Respondent No.1-State.

API Chorat, Byculla Police Station, Mumbai.

CORAM : REVATI MOHITE DERE, J.
DATE : 7th AUGUST, 2021

P.C. :

1. None appears for the Applicants as well as for the Respondent No.2.

2. By this application, the Applicants seek pre-arrest bail in connection with C.R.No. 305 of 2017 registered with the Byculla Police Station, Mumbai, for the alleged offences punishable under Sections 107, 108, 109, 114, 120, 420, 465, 468 and 471 of the Indian Penal Code.

3. Vide order dated 21st December, 2018, this Court (Coram: Prakash D.Naik, J) granted interim protection to the Applicants on certain terms and conditions. Whilst granting interim protection, this Court in para 2 observed as under:

“2. The dispute relates to Partnership Deed of Reconstitution. Applicant’s contention is that the Deed of Reconstitution of which photocopy have been annexed to the application was signed by the required parties as the original is in possession of the complainant. Apparently there are disputes between the parties. Complaint is lodged by the cousin. Since the matter is related to the documents, presently interim relief can be granted to the applicant with direction to attend the Investigating Officer.”

4. Learned APP, on instructions, states that the Applicants have attended the concerned Police Station as directed by this Court vide order dated 21st December, 2018. He submits that in fact, the Police have filed chargesheet in the said case on 22nd June, 2021 in the Court of learned Judicial Magistrate, First Class. Learned APP has tendered a report dated 7th August, 2021 of API, Byculla Police Station, Mumbai. The same is taken on record.

5. Having perused the documents, it appears that the dispute relates to documents, which have been seized during the investigation.

6. Considering the aforesaid and particularly, as chargesheet has been filed in the said case, the interim protection granted by this Court vide order dated 21st December, 2018, stands confirmed on the following terms and conditions;

ORDER

(i) In the event of the arrest, the Applicants be enlarged on bail on executing P.R. Bond in the sum of Rs.25,000/- each with one or two sureties in the like amount;

(ii) The Applicants shall inform their latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time, to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(iii) The Applicants to co-operate in the conduct of the trial;

7. The application is allowed in the aforesaid terms and is accordingly disposed of.

8. It is made clear that the observations made herein are prima facie, for the purpose of deciding this application.

9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.