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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

927 ANTICIPATORY BAIL APPLICATION NO.631 OF 2022

MUSTAK USMANMIYA SHAIKH
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Sachin S. Panale
APP for Respondent : Mr. A. A. Jagatkar
...

CORAM : S. G. MEHARE, J.

DATE : 17th June, 2022

P.C.

1. The matter is taken out of turn for the reason that the complainant sitting in the court hall seems to be a senior citizen.
2. Heard the learned Counsel for the applicant and the learned A.P.P. for the respondent.
3. It is the allegations against the applicant that he has signed one document which is allegedly forged by impersonation. The lady who had sold the plot in question was not the owner, but, the complainant is the owner of the plot in dispute. The applicant is a witness to the alleged sale transaction. The said sale deed was a registered

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document having the photograph of the lady claiming to be the owner of the property. The applicant is admittedly not the beneficiary. He must not have received any consideration. He is merely a witness to the document. So, it can be assumed that he is not the beneficiary. In the light of the role played by the applicant, the contention of the learned A.P.P. that the applicant should be directed to deposit some amount is not appropriate.

4. Having regard to the facts of the case, the application deserves to be allowed. Hence, the following order -

- i) The application is allowed.
- ii) The interim protection granted to the applicant is confirmed on the same terms of the order of this Court dated 19.05.2022.
- iii) *Hamdust* permitted.

(S. G. MEHARE, J.)

amj