

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

ANTICIPATORY BAIL APPLICATION NO. 1285 OF 2022

**UJJWALA DILIP JAIN
VERSUS
THE STATE OF MAHARASHTRA**

...
Mr. G. R. Syed, Advocate for Applicant
Mr. P. K. Lakhotiya, APP for Respondent – State
Mr. J. S. Gangawane, Advocate for Informant
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 02nd DECEMBER, 2022

PER COURT :

1. Applicant apprehends arrest in Crime No.0576/2022, registered with Nandurbar City Police Station, Nandurbar, for offence punishable under Sections 420, 468, 471, 406 read with 34 of the Indian Penal Code.
2. FIR is lodged by Lilabai Manik Mali alleging that applicant and her husband have entered their names in revenue record of the property belonging to informant's family, without obtaining prior permission of revenue authorities and without depositing necessary *Nazarana* in Government Treasury. The said property was thereafter sold by applicant to Krushna Haribhau Marathe, Laxman Haribhau Marathe and Sanjay Haribhau Marathe in the year 2017 and mutation entries in that behalf were taken.
3. Heard learned advocate for applicant, learned advocate

for informant and learned Additional Public Prosecutor for respondent – State. Perused the investigation papers.

4. Learned Additional Public Prosecutor and learned advocate for informant vehemently opposed the application contending that applicant has played active role in the offence and therefore, she does not deserve discretionary relief from this Court.

5. On perusal of investigation papers, this Court is of the *prima facie* view that offence is committed by the deceased husband of applicant and applicant appears to be only signatory to the documents. Husband of applicant has expired in the month of February, 2020. Offence pertains to forgery of documents which are already in the custody of investigating officer. Applicant was given interim protection and she has attended concerned police station and cooperated in investigation. Taking into consideration these aspects and the applicant being a woman, protection granted to her deserves to be confirmed.

6. Application is, therefore, allowed by confirming interim order passed by this Court on 26/09/2022. Till filing of charge-sheet, applicant shall attend concerned police station as and when called by Investigating Officer and shall not tamper prosecution evidence.

(NITIN B. SURYAWANSHI, J.)