

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

CRI. ANTICIPATORY BAIL APPLICATION NO. 472 OF 2022

Ganesh Vitthal Langute & Anr.	..Applicants
Vs.	
The State of Maharashtra	..Respondent

Mr. Kuldeep S. Patil i/b. Ms. Saili N. Dhuru, for the Applicants.
Mr. Y. Y. Dabke, APP for the Respondent / State.
API Akshay A. Sonawane, Phaltan Rural Police Station, Satara.

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**CORAM : C.V. BHADANG, J.
DATE : 23 FEBRUARY 2022**

P.C.

. The Applicants, apprehending arrest, in connection with investigation of Crime No.75/2022 of Police Station Phaltan Rural, District Satara, under Section 447, 465, 467, 468, 471 and 420 r/w. 34 of IPC, are seeking anticipatory bail.

2. The aforesaid crime, is registered on the basis of the complaint lodged by Bapurao Rama Langute on 28 January 2022. It appears from the perusal of the complaint that land admeasuring 8R in Gat No.54 at Village Barad, Taluka Phaltan, District Satara is having

several co-sharers including the Complainant and his brothers. The Applicant No.1 who is the nephew and the Applicant No.2 who is the brother of the Complainant had constructed two separate sheds in the said land which are recorded in the Gram Panchayat as property No.1624 and 1625 respectively. The material allegation against the Applicants is that they had produced a stamp paper dated 15 January 2018 showing consent of all the co-sharers in recording said property in the name of the Applicants, on the basis of which, Gram Panchayat has carried out mutation. According to the first informant, the signatories Krushnabai Langute, Indubai Langute, Thakubai Khartode and Malhari Langute were dead on the date of the alleged execution of the said agreement. The first informant also claims that his signature on the said document is forged.

3. I have heard the learned counsel for the parties. Perused record.

4. It is submitted by the learned counsel for the Applicants, on the basis of the affidavit annexed with the Application, made to the Gram Panchayat, that the Applicants did not claim any ownership on the basis of the mutation and the mutation was required to be carried out only for the purpose of collection of taxes by the Gram Panchayat. It is submitted that there is no wrongful loss or gain

caused to anybody on account of the mutation which is otherwise cancelled subsequently.

5. Learned APP has submitted that there is a report from the Sub Divisional Officer (SDO) which shows that the Applicants had not even obtained the permission for construction of the two sheds and apparently even according to the Applicants, the signature of Malhari is forged as he had died prior to the date of the execution of the agreement. However, learned APP, on instructions from the Investigating Officer, submitted that the Applicants, for the present, may be directed to join the investigation and furnish their specimen signatures which can then be sent for an expert's opinion.

6. It can be seen that the Investigating Officer can always obtain the specimen signature of the first informant in order to examine his claim that his signature on the said document is also forged. The evidence appears to be of documentary nature which has already been seized from the office of the Gram Panchayat.

7. In that view of the matter, the following order is passed.

ORDER

(i) In the event of their arrest, in connection with investigation of Crime No.75/2022 of Police Station Phaltan Rural, District Satara, the Applicant No.1

Ganesh Vitthal Langute and Applicant No.2 Vishwanath Rama Langute, be released on bail on executing a P.R. Bond in the sum of Rs.25,000/- each with one or two solvent sureties each, in the like amount.

(ii) The Applicants shall report to the Investigating Officer on 3/3/2022 and 4/3/2022 between 11.00 a.m. to 1.00 p.m. and as and when required.

(iii) The Applicants shall furnish their specimen handwriting / signature, if required by the Investigating Officer and shall cooperate with the Investigating Agency.

(iv) The Criminal Application is disposed of, in the aforesaid terms.

C.V. BHADANG, J.