

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

ANTICIPATORY BAIL APPLICATION NO. 644 OF 2022

Jyoti Basappa Gaikwad	 Applicant
v/s.	
The State of Maharashtra	 Respondent

Mr. Sayed Asif Abbas Naqvi for the Applicant.
Mrs. M.M. Deshmukh, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 17th MARCH, 2022.

P. C. :-

. This is an Application under section 438 of Cr.PC. filed by the aforesaid Applicant apprehending her arrest in C.R.No.348/2021 registered with Colaba Police Station, Mumbai for offences punishable under sections 420, 465, 467, 471 of the Indian Penal Code.

2. Heard Mr. Sayed Asif Abbas Naqvi, learned counsel for the Applicant and Mrs. M.M. Deshmukh, learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The aforesaid crime was registered pursuant to the first

information report lodged by Maria Gaikwad. The complainant is the cousin of the Applicant. It appears that there is dispute between the parties as regards Room No.66 situated at Sudam Jhopadi, Colaba market, Colaba. The complainant claims that she has been living in the said room and that the Applicant has trespassed in the said room and she has created false documents.

4. It is to be noted that the civil suit in respect of the said premises is pending adjudication before City Civil Court, Mumbai being Suit No.2806/2018. The question whether the ration card and other documents have been fabricated or not, will have to be decided on merits of the matter.

5. Considering the fact that the dispute is basically of civil nature, in my considered view, this is not a case which would justify custodial interrogation. Hence, the Application is allowed on following terms and conditions :-

(a) In the event of arrest of the Applicant in C.R.No.348/2021 registered with Colaba Police Station, Mumbai, she shall be released on bail on furnishing bail bonds

in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one or two sureties in the like amount ;

(b) The Applicant shall report to the Investigating Officer for two days from 21/03/2022 between 11:00 a.m. to 02:00 p.m. and further as and when required by the Investigating Officer.

(c) The Applicant shall keep the Investigating Officer informed of her current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

6. The Application stands disposed of.

PREETI
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JAYANI

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by PREETI H
JAYANI
Date: 2022.03.21
10:56:32 +0530

(SMT. ANUJA PRABHUDESSAI, J.)