

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

**ANTICIPATORY BAIL APPLICATION NO. 1102 OF 2022
WITH
INTERIM APPLICATION NO. 1654 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO. 1102 OF 2022**

Shashank @ Shashikant Rajaram Shingan & Anr. .. Applicants
Vs.

The State of Maharashtra .. Respondent

Mr. Sandeep S. Salunkhe for the applicants
Mr. A. A. Palkar, APP for the respondent - State
Mr. Sarang S. Aradhye for the Intervenor

CORAM : NITIN W. SAMBRE, J.

DATED : 20th September, 2022

P.C.:

1. Heard.
2. The applicants are seeking pre-arrest bail in crime no. 223 of 2022 registered with Pandharpur police station for the offence punishable under sections 406, 420, 465, 467, 468, 471 r/w. 34 of IPC.
3. The case of the prosecution is, the applicant was licensee of the premises which is subject matter of the complaint. Initially the premises was given on leave and license basis and after the expiry of the license period the complainant/non-applicant has

requested the applicant to vacate the same sometime in the year 2019.

4. The applicant thereafter alleged to have forged the leave and license agreement for a period of 25 years, which has resulted into registration of the offence.

5. Learned APP on instructions informs that the original deed whereby the extension of 25 years was granted is already seized. It is further claimed that since the applicant has cooperated in the investigation, custody of the applicant is not required.

6. Learned counsel for the complainant has opposed the prayer for grant of bail on the ground that the offence committed is serious and based on the documentary evidence.

7. As the entire offence is based on the documentary evidence which are duly seized and the investigation in the matter is complete, rightly so claimed by learned APP, the custodial interrogation of the applicant is not required.

8. The ad-interim protection stands confirmed.

9. In the event of arrest of applicants in crime no. 223 of 2022 registered with Pandharpur police station for the offence punishable under sections 406, 420, 465, 467, 468, 471 r/w. 34 of IPC, applicants be released on bail on furnishing P.R. bond in the

sum of Rs. 15,000/- with one or more sureties in the like amount.

10. The applicant shall attend the Investigating Officer as and when directed.

11. The applicants shall neither tamper with evidence nor influence the witnesses in any way.

12. Learned APP in response to the Court's query submits that the specimens of handwriting of the applicant so also the witnesses shall be sent for verification after obtaining their samples.

13. Learned counsel for applicant assures that the applicant shall co-operate in giving specimen signature / handwriting not only of himself but also of the witnesses of the document allegedly forged. The statement is accepted as an undertaking.

14. The anticipatory bail application stands disposed of. In view of the disposal of the anticipatory bail application, interim application also stands disposed of.

(NITIN W. SAMBRE, J.)