

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1452 OF 2022

Naseem Moinuddin Ansari] ... Applicant

Vs.

The State of Maharashtra] ... Respondent

...

Mr. Adil Khatri for the applicant.

Mr. Ashok Saraogi for the intervenor.

Ms. Anamika Malhotra, A.P.P. for the State.

Mr. Ashish Pawar, PSI attached to Nizampura Police Station is present in the court.

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CORAM : SMT. BHARATI DANGRE, J.

DATED : 20TH JUNE, 2022.

P.C.:-

1. The applicant was admitted to interim protection on 06/06/2022.

2. Learned A.P.P. states that, when he reported to the police station as directed by this court, the applicant has placed on record the original agreement to sell executed on 30/12/2021 by

which he states that he had purchased Gala No.12, which is reflected as Grampanchayat House No.1037/11 for a consideration mentioned in the same and along with the said document, a receipt, effecting payments of Rs.50,000/- each on six occasions and a sum of Rs.3 lakhs on one occasion is placed on record. Pertinent to note that the receipts are not produced on record or there is no mention of any receipt number or they do not bear the signature of either of the parties.

3. The case of the complainant is to the effect that he has never sold Gala No.11 to the present applicant, which he claimed to be in his possession. The accusations faced by the applicant are serious in nature and what has been alleged is by breaking the wall between Gala No.11 and Gala No.12, the applicant has gone into Gala No.11. This requires thorough investigation. Since one of the witnesses to the agreement dated 30/12/2021 has already denied his signature in the agreement along with the complainant, who also denied its execution, let this be investigated by the Investigating Officer, by taking the applicant into custody.

4. The interim protection in favour of the applicant stands vacated.

5. The application is disposed off.

[SMT. BHARATI DANGRE, J.]