

Vidya Amin

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

ANTICIPATORY BAIL APPLICATION NO. 927 of 2020

Smt. Shrunkhala Amit Badkar & Anr. .. Applicants
Vs.
The State of Maharashtra .. Respondent

**WITH
INTERVENTION APPLICATION NO. 707 OF 2021
IN
ANTICIPATORY BAIL APPLICATION NO. 927 of 2020**

Ravindra Kishor Vaidya .. Intervener
in the matter between
Smt. Shrunkhala Amit Badkar & Anr. .. Applicants
Vs.
The State of Maharashtra .. Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO. 881 of 2020**

Darshan Gajanan Koli .. Applicant
Vs.
The State of Maharashtra .. Respondent

**WITH
INTERVENTION APPLICATION NO. 706 OF 2021
IN
ANTICIPATORY BAIL APPLICATION NO. 881 of 2020**

Ravindra Kishor Vaidya .. Intervener
in the matter between
Darshan Gajanan Koli .. Applicant
Vs.
The State of Maharashtra .. Respondent

Ms. Sandhya Mailagir for the applicant in ABA/927/2020.
Ms. Monika Chandanshive i/b. Anil Joshi for the applicant in
ABA/881/2020.
Mr. Raju Yamgar for the intervener in both the applications.
Mr. S.V. Gavand, APP for the State.
Mr. Y.M. Lamkhade, API, Naupada Police Station present.

**CORAM : BHARATI DANGRE, J.
DATE : SEPTEMBER 20, 2022.**

P.C.:

1. On 15 December, 2020, two applicants in Anticipatory Bail Application No. 927 of 2020 and one applicant in Anticipatory Bail Application No. 881 of 2020, who faced accusations in C.R. No. 0354 of 2020 registered with Naupada Police Station were directed to be released on bail in the event of their arrest. They were specifically directed to render cooperation in the investigation.

2. The interim protection in favour of the applicants continued from time to time and when today, i.e., 20 September, 2022 the matter was listed, learned APP, on instructions from the Investigating officer, states that the custodial interrogation of the applicants is not necessary but he states that the applicants shall be directed to attend the Investigating officer on a near date so that the investigation can be completed. Learned APP also makes a statement that on completion of the investigation, charge sheet has been filed against accused no. 1 on 29th June, 2021.

3. The counsel for the complainant who has filed an application for intervention would submit that he is dispossessed from the premises and it is the case of trespass and house break.

4. While admitting the applicants to protection, the Court has recorded a prima facie finding to the effect that the complainant claims

his tenancy qua Room no. 11 in a building of which the applicant is a co-owner and it appears that the father of the complainant had filed a Civil Suit, i.e., Regular Civil Suit No. 66 of 2011 against one Prabhakar Laxman Thanekar, who claimed to be a landlord and the complainant claims that he is a tenant of Thanekar.

Recording that civil proceedings are pending, the protection was conferred on the applicants.

5. In the wake of the statement by APP that no custody is desired by the Investigating officer, the applicants are directed to report to the Investigating officer on 28th and 29th September, 2022 between 3.00 p.m. to 5.00 p.m.

The order dated 15 December, 2020 is made absolute subject to the compliance of the above directions.

6. Applications are disposed of.

7. Intervention Applications are also disposed of.

(SMT. BHARATI DANGRE, J.)