

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.357 OF 2021

Pawan Nandlal Varyani

...Applicant

Vs.

The State of Maharashtra

... Respondent

Mr.Kuldeep U. Nikam for the Applicant.

Mr.R.M. Pethe, for the Respondent-State.

CORAM : C.V. BHADANG, J.

DATE : 15 FEBRUARY 2022

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Date: 2022.02.15
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P.C.

. The Applicant, apprehending arrest, in connection with the investigation of Crime No.526 of 2020 registered with Vimantal Police Station, Pune under Section 420, 468 and 471 of the Indian Penal Code is seeking anticipatory bail.

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

3. The record discloses that on 15 December 2020 by a detailed order this Court had granted interim protection to the Applicant. This Court has *prima facie* found that there is a gross unexplained delay in approaching the Police Station. Only allegation is that the Applicant had prepared a false and forged

Leave and Licence Agreement which was submitted to the RTO for the purposes of the registration of a Honda Activa vehicle in the name of the Applicant.

4. Even according to the Applicant the flat is in possession of Ms.Slysha Dixit. The Applicant is not claiming any right on the basis of the purported Leave and License Agreement. It is not even the case of the prosecution that on the basis of the purported agreement the claim for a possession of the flat is made by the Applicant. It appears that the owner of the flat had not filed a complaint.

5. The learned counsel for the Applicant pointed out that notice under Section 41(A) of the Cr.P.C. is issued to the Applicant on 24 November 2021 and in pursuance of the notice the Applicant has reported to the Investigating Officer.

6. The learned Additional Public Prosecutor has produced the copies of the documents which are obtained from the Sub-Registrar Office and the RTO.

7. Considering the overall circumstances, I do not find that the custodial interrogation of the Applicant is necessary. The interim protection is operating since 15 December 2020.

8. In such circumstances, the Criminal Application is disposed of in terms of the order dated 15 December 2020 which is made absolute subject to the condition that the Applicant shall continue to co-operate with the Investigating Agency as and when required and the applicant shall not tamper with the prosecution evidence/witnesses.

C.V. BHADANG, J.