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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1923 OF 2022
ALONGWITH
INTERIM APPLICATION NO.2584 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO.1923 OF 2022**

Manoj Bhujarath Chauhan	]	..	Applicant
vs.			
State of Maharashtra	]	..	Respondent

Mr.Harideep Singh for the Applicant.
Mr.Ashutosh Gole, for the Intervenor.
Smt.A.A. Takalkar, APP for the State.
PSI B.P. Dabe, Kashimira Police Station present.

CORAM : BHARATI DANGRE, J

DATE : 17TH AUGUST, 2022.

P.C.

1] The Applicant is facing accusation in CR No.176/2022 registered with Kashimira Police Station which invoke offence under Section 420, 465, 467, 468, 471 of the Indian Penal Code.

The Applicant is apprehending his arrest in the said CR.

2] The subject CR came to be registered on the complaint filed by the Talathi of Saja Mire, Mira Road (East), Thane District. While on

duty she came across a complaint filed by Snehal Martin Telis who had lodged a complaint that Ferfar No.1471 as regards Survey No.86/04 is effected on the basis of fraudulent documents. He requested that the mutation (Ferfar) shall be cancelled and the name of the Applicant shall be deleted from record as regards 400 sq. mtr. of land. Accordingly, she conducted an enquiry and when it was revealed that there was a forgery committed in Index II, where instead of 40 sq. mtr. the land was shown as 400 sq. mtr. and on being convinced that there is a criminal element involved, she lodged the report.

3] The learned APP invited my attention to the original complaint/application filed by Snehal Martin Telis on 28.02.2022 wherein it is alleged that the document which was registered with the Assistant Registrar, Thane 07, refer to 40 sq. mtr. of land, however, by adding '0' therein, the Applicant to whom the land was sold by the vendors had got mutation entry to the effect of 400 sq. mtrs. vide entry No.1471. An enquiry was conducted and statement of the Assistant Registrar, Thane 07 was recorded during the course of investigation where he confirmed that the land which was sold by the vendors to the present Applicant is 40 sq. mtrs. out of 880 sq. mtrs. for a consideration of Rs.4 Lakh and accordingly on 05.02.2016 document No.1348/2016 came to be executed.

4] Considering the market value of the property to be Rs.8,48,000/- , stamp duty of Rs.50,900/- and registration fee of Rs.8480/- was determined and accordingly paid at the office of Joint Sub Registrar Thane 7. The papers which are placed before me by the learned APP also include the Sale Deed which also mentions 40 sq. mtrs. of property with its description given in its recital.

5] The submission of the learned counsel for the Applicant that inadvertently and incorrectly by mistake it is recorded as 400 sq. mtrs. instead of 40 sq. mtrs. cannot be taken into consideration at this stage, as it requires a thorough custodial interrogation as mutation entry is effected on the basis of fraudulent documents which depict the area of property as 400 sq. mtrs. and vendors have specifically recorded statement that what they sold was 40 sq. mtrs for a consideration of Rs.4 Lakh.

6] Moreover, the the learned APP has also invited my attention to CR No.41/2022 in which the applicant is accused of similar modus operandi of effecting mutation entry on the basis of fraudulent recording the measurement of the land with the vendors.

7] Considering the aforesaid, the Applicant do not deserve any protection. Hence, the Application is rejected. Interim Application also stands disposed off.

[BHARATI DANGRE, J]