

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

ANTICIPATORY BAIL APPLICATION NO. 1971 OF 2022

Vipul Narayan Harale & Anr. Applicants.
V/s
State of Maharashtra & Ors. Respondents.

Mr. Drupad Patil for the Applicants.
Ms. P. N. Dabholkar, APP for the Respondent/State.
Mr. Gaurav Parkar for the Intervener

CORAM : NITIN W. SAMBRE, J.

DATED : 22nd September, 2022

P.C.:

1. Heard.
2. The applicants are seeking pre-arrest bail in crime no. 618 of 2021 registered with Shahupuri police station for the offence punishable under sections 406, 409, 420, 467, 468, 471, 477A, 506 r/w. 34 of IPC.
3. The complicity of the applicants in the offence in question is related to the vague allegations of the illegal collection of the maintenance amount.
4. The complainant claims to be the developer of the suit property based on a Built, Operate and Transfer (BOT) agreement dated 13/09/2001 executed with Kolhapur Municipal Corporation.

5. The prosecution case is applicants have allegedly collected maintenance amount without any authority.
6. As far as the aforesaid issue is concerned, it cannot be borne out of the records upon reading of the relevant clauses of BOT agreement that the complainant was authorized to collect the maintenance charges.
7. That being so, it cannot be said that the applicants are involved in the offence, as has been alleged by the complainants who claim to have right over the maintenance amount.
8. That being so, ad-interim protection ordered by this Court, stands confirmed.
9. The applicants shall attend the Investigating Officer from 26/09/2022 to 29/09/2022 between 10.00 a.m. to 12.00 noon and thereafter as and when directed.
10. The applicants shall neither tamper with evidence nor influence the witnesses in any way.
11. The application stands disposed of.

(NITIN W. SAMBRE, J.)