

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1974 of 2022

Rakesh Ganpat Mittal .. Applicant
Versus
The State of Maharashtra .. Respondent
...

Mr. Navin Shrivastava for the applicant.
Mrs Anamika Malhotra, APP for the State.

CORAM: BHARATI DANGRE, J.
DATED : 21st JULY, 2022

P.C:-

1 The applicant is apprehending arrest in C.R.No. 32/2021 registered with Charkop Police station which invoke Sections 420, 465, 447, 468, 471 of IPC.

2 The complainant is the brother of the applicant Shri Rajkumar Mittal who, in his complaint had narrated the events where the four brothers along with their father share a joint property and the manner in which it was decided to separate the business. The long FIR refer to the settlement and understanding arrived between the parties.

3 The allegation which resulted in registration of the C.R is to the effect that the present applicant forged the gift deed

in his name and one NOC from Satyam Co-operative Housing Society derived benefit to himself by defrauding the complainant.

4 The learned APP has placed on record the statement of Bimladevi Agarwal @ Mittal, mother of the complainant and applicant, recorded on 26/1/2022 where she specifically state that the gift deed executed by the applicant in favour of the complainant is true and correct and her husband Ganpatrao had informed her about that. Further, she also state that in the year 2008, Rajkumar had himself assigned of the rights in room no.D-46 in Plot No.325 in favour of the applicant. However, she is not aware of the NOC as well as the pan card.

The said statement being recorded on 26/1/2022 and the accusations faced by the applicant are of committing forgery in the year 2013, the applicant deserve protection, subject to he rendering his co-operation to the Investigating Officer. Hence, the following order:-

ORDER

- (a) In the event of his arrest, the Applicant – Rakesh Ganpat Mittal in connection of C.R.No.32/2021 registered with Charkop police station shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.

- (b) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.
- (c) The Applicant shall report to the police station on 25/7/2022 and 26/7/2022 between 10 am to 1.00 pm and thereafter as and when directed.

5 The Application is allowed in the aforestated terms.

(SMT. BHARATI DANGRE, J.)