

Prajakta Vartak

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

**ANTICIPATORY BAIL APPLICATION NO.2399 OF 2022**

Mohammad Ali Mohammed Amin Khatib & Anr. .. Applicants

Vs.

The State Maharashtra & Anr. .. Respondents

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Mr.Rajendra Rathod with Ali Bubere with Umar Dalvi, for the Applicants.

Ms.Veera Shinde, APP for the Respondent-State.

Mr.Bharat Mirchandani i/b. Deepali Kedar for Respondent No.2.

PI Mr.Deep Bane, attached to Nizampura Police Stn. is present.

**CORAM : BHARATI DANGRE, J.**

**DATE : OCTOBER 07, 2022.**

**P.C.:**

1. The learned counsel for the applicants makes a categorical statement that the applicants are ready to execute the Agreement for Sale in respect of land admeasuring 900.00 sq. mtrs. as they did not dispute that they received consideration of Rs.45 Lakhs.

The learned APP, on instructions from the Investigating Officer, makes a statement that custodial interrogation of the applicants is not desired.

2. In the wake of the above, let the Investigating Officer make an attempt to settle the dispute between the parties, if it is possible.

3. Let the applicants report to the Investigating Officer on 13 October, 2022 and 14 October, 2022 in the presence of the complainant

and an effort shall be made to work out the settlement. In any case since the custodial interrogation is not required, the applicants deserve protection from their arrest.

**ORDER**

- (a) Application is allowed.
- (b) In the event of arrest in connection with C.R.No. 0168 of 2022 registered with Nizampura Police Station, applicants- Mohammad Ali Mohammed Amin Khatib and Zafrullah Mohammed Amin Khatib shall be released on bail on furnishing P.R. Bond to the extent of Rs.25,000/- each with one or two sureties in the like amount.
- (c) The applicants shall report to the Investigating Officer on 13 October, 2022 and 14 October, 2022 in the presence of the complainant and thereafter as and when directed by the Investigating Officer.
- (d) The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer and shall not tamper with evidence.

**(SMT. BHARATI DANGRE, J.)**