

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

ANTICIPATORY BAIL APPLICATION NO.2546 OF 2021

Yashwant Pradhan Shinde	...Applicant
Vs.	
The State of Maharashtra	...Respondent

Mr. Kuldeep U. Nikam, for Applicant.
Ms. Geeta P. Mulekar, A.P.P. for Respondent-State

CORAM : NITIN W. SAMBRE, J.

DATED : 21st September, 2022

P.C.:

1. Heard.
2. The applicant is seeking pre-arrest bail in crime no. 266 of 2021 registered with Miraj City police station for the offence punishable under sections 417, 406, 420, 467, 468, 471 r/w 34 of IPC.
3. The applicant, one of the co-accused in the aforesaid crime is alleged to have acted as a broker for the complainant in the matter of transfer of property by impersonation which is the subject matter of the offence.
4. The property was owned by one Balasaheb Shete who was resident of Shirala who had the piece of plot in Miraj. The said property alleged to have sold by 3rd person as the Balasaheb had

already expired. The applicant alleged to have aided the said transaction. The claim is, the other similarly placed co-accused who has acted as broker for the purchaser is already released on bail.

5. Learned counsel for the applicant would invite attention of this Court to the sale deed so as to claim that the applicant has not identified the seller and he had no occasion to know Balasaheb shete, the original owner of the property and his residence. As such, according to him the applicant is falsely implicated.

6. Learned APP would support the prayer for custodial interrogation of the applicant as according to her bogus Aadhaar Card which is used in execution of the documents by impersonation needs to be recovered.

7. I have appreciated the submissions.

8. The applicant appears to have acted as broker for the purchaser. The identity of the purchaser is not in dispute. However, the seller who impersonated appears to have been identified by 3rd person and not by the applicant.

9. Apart from above, there is hardly any evidence on record to infer that the applicant was having knowledge about the death of

Balasaheb Shete who was the original owner of the suit property.

10. In that view of the matter, ad-interim protection stands confirmed.

11. In the event of arrest of applicant crime no. 266 of 2021 registered with Miraj City police station for the offence punishable under sections 417, 406, 420, 467, 468, 471 r/w 34 of IPC., applicants be released on bail on furnishing P.R. bond in the sum of Rs.15,000/- with one or more sureties in the like amount.

12. The applicant shall attend the Investigating Officer from 26/09/2022 to 30/09/2022 between 10.00 a.m. to 12.00 noon and thereafter as and when directed.

13. The applicants shall neither tamper with evidence nor influence the witnesses in any way.

14. The application stands disposed of.

(NITIN W. SAMBRE, J.)