

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2623 OF 2021

Mohan Jaysing Chikhale ... Applicant
Vs.
State of Maharashtra ... Respondent

Mr. Aniket Nikam i/b. Mr. Aashish Satpute for Applicant.
Ms. Sharmila S. Kaushik for Respondent-State.

CORAM : NITIN W. SAMBRE, J.
DATE : SEPTEMBER 19, 2022

P.C. :

Heard.

2. The applicant is seeking pre-arrest bail in Crime No.367 of 2021 registered with Shikrapur Police Station, District - Pune (Rural) for the offence punishable under Sections 420, 465, 467, 468, 471, 120-B read with Section 34 of the Indian Penal Code, 1860.

3. The case of the prosecution is, in a loan transaction with the co-operative bank, a supplementary Power of Attorney dated 26.09.2006 was executed to which the applicant has signed as a witness. The said Power of Attorney was subsequently registered and was found to be based on impersonation, as such, offence of cheating, forgery, etc. came to be filed.

4. The fact remains that the applicant is not shown to be the witness who was present at the time of registration of the said supplementary Power of Attorney dated 26.09.2006.

5. Apart from the above, in response to the Court's query, it was informed that the trail of the finances was investigated into and the applicant was not found to be the beneficiary of the amount which is the subject matter of the offence.

6. The alleged offence claimed to have been committed in the year

2006-07 and the FIR is lodged after a period of about 15 years.

7. This Court has already recorded the details of the nature of the offence in its order dated 23.07.2021 passed in ABA No.1693 of 2021.

8. In this background and having regard to the fact that the investigation is carried out till this date, it can be noticed that the applicant's involvement in the offence in question is under cloud.

9. That being so, the ad-interim protection ordered by this Court stands confirmed.

10. In the event of arrest of the applicant in Crime No.367 of 2021 registered with Shikrapur Police Station, District - Pune (Rural) for the offence punishable under Sections 420, 465, 467, 468, 471, 120-B read with Section 34 of the IPC, he be released on bail on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount. Applicant shall attend the Investigating Officer from 23rd to 30th September, 2022 between 10:00 a.m. and 12 noon and thereafter as and when directed by the Investigating Officer. The said applicant shall not directly or indirectly try to influence the prosecution witnesses and tamper with the evidence.

11. Application is disposed of accordingly.

(NITIN W. SAMBRE, J.)

Minal Parab