

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

ANTICIPATORY BAIL APPLICATION NO. 2798 OF 2021

1. Digambar Motiram Jadhav	
2. Sushilabai Digambar Jadhav	 Applicants
v/s.	
The State of Maharashtra	 Respondent

**WITH
INTERIM APPLICATION NO. 3271 OF 2021
IN
ANTICIPATORY BAIL APPLICATION NO. 2798 OF 2021**

Dr. Jayant Tribak Pawar	 Applicant
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In the matter between :-

1. Digambar Motiram Jadhav	
2. Sushilabai Digambar Jadhav	 Applicants
v/s.	
The State of Maharashtra	 Respondent

Mr. Narayan Bubna for the Applicant.
Mr. Ramesh Dube Patil i/b. Mr. Mahendra N.
Sandhyanshiv for the Intervenor
Mr. A.A. Palkar, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 30th AUGUST, 2022.

P. C. :-

. This is an Application under section 438 of Cr.P.C. for pre-arrest bail in C.R.No.335/2021 registered with Malegaon Chawani Police Station, Dist. Nashik Rural for offences punishable under sections 465, 467, 468, 471 r/w. 34 of the Indian Penal Code.

2. Heard learned counsel for the Applicant, learned APP for the State and the learned counsel for the Intervenor. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The aforesaid crime was registered pursuant to the First Information Report (FIR) lodged by the first informant Dr. Jayant Pawar. The allegations against the Applicants in brief are that they have filed Summary Suit on the basis of the forged and fabricated receipts. Learned APP has stated that the signatures of the Applicant and the first informant have been taken and that the same will be forwarded to the handwriting expert for opinion. The question whether the document/receipt is forged or fabricated will have to be decided on merits of the matter. Moreover, the Applicants are on interim bail since 25/11/2021 and they have co-operated with the investigation and have been duly interrogated. Under the circumstances, the presence of the Applicants is not required for the purpose of custodial interrogation. Hence, the Application is allowed on the following terms and conditions :-

- (a) In the event of arrest of the Applicants in C.R.No.335/2021 registered with Malegaon Chawani Police

Station, Dist. Nashik Rural, they shall be released on bail, on furnishing P.R. bonds in the sum of Rs.25,000/- each with one or more sureties in the like amount ;

(b) The Applicants shall report to the Investigating Officer as and when required.

(c) The Applicants shall not interfere with the complainant and the other prosecution witnesses and shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case in any manner ;

(d) The Applicant shall keep the Investigating Officer informed of their current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

4. Application stands disposed of. Interim Application stands disposed of in view of disposal of the Anticipatory Bail Application.

PREETI
H JAYANI

Digitally signed by
PREETI H JAYANI
Date: 2022.08.30
15:17:42 +0530

(SMT. ANUJA PRABHUDESSAI, J.)