

PMB

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

ANTICIPATORY BAIL APPLICATION NO.2678 OF 2022

HITESH BHOMARAMJI PUROHIT

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Ms. Anjali Chitta a/w Mr. Amit Singh for applicant.

Ms. P. N. Dabholkar, APP for State.

Mr. Devendra Kate, API, Goregaon Police Station.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 1, 2022.

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP.
- 2.** This is an application for pre-arrest bail in respect of an offence registered under Sections 447, 448, 452, 454, 380, 427 read with Section 34 of the Indian Penal Code, 1860 in connection with FIR No.0883 of 2022 dated 29/08/2022 registered with Goregaon Police Station.
- 3.** It is alleged that the complainant and the applicant are the co-owners of the premises. There was an ownership

dispute going on between the applicant and the complainant with regard to the premises. At the behest of the applicant, the co-accused broke open the lock and door of the said premises and forcibly entered into it and caused damage to the articles lying in the said premises. It is also alleged that there was a theft of Rs.20,800/-. On record is also an agreement relating to transfer of tenancy from the original tenant. The premises in question is Room No.8 in Chawl No.B/5, Mitha Nagar, Municipal Colony, M. G. Road, Goregaon (West), Mumbai.

4. Considering the nature of the dispute, even learned APP submits that the case is merely based on documentary evidence, the custodial interrogation of the applicant in such case is not necessary and learned APP on instructions of the Investigating Officer submitted that the applicant should co-operate with the investigation. Hence, the following order :-

ORDER

(i) In the event of arrest in connection with FIR No.0883 of 2022 registered with Goregaon Police Station, applicant-Hitesh Bhomaramji Purohit shall be released on his furnishing a P.R. bond in the sum of

Rs.25,000/- with one or more sureties in the like amount.

(ii) The applicant shall report to the Investigating Officer of the concerned police station on 6th, 7th and 8th December, 2022 between 11.00 a.m. and 1.00 p.m. and thereafter as and when called.

(iii) The applicant to co-operate with the Investigating Officer.

(iv) 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.

5. Anticipatory Bail Application stands disposed of.

(M. S. KARNIK, J.)