

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 2750 OF 2022

Suresh Balaji Mhatre	...Applicant
Versus	
State Of Maharashtra	...Respondent

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Mr. Kuldeep Patil i/b Ms. Saili Dhuru, Advocate for the Applicant.
Mr. A. A. Palkar, APP for the Respondent – State.

CORAM	:	PRAKASH D. NAIK, J.
DATE	:	4th October, 2022.

PER COURT:

1. This is an application for Anticipatory Bail in C.R. No 121 of 2022 registered with Nagotane Police Station, Raigad for offences under Sections 406, 409, 420 read with 34 of the Indian Penal Code (for short I.P.C.).
2. The Applicant had preferred an application for anticipatory bail before the Sessions Court which has been rejected vide order dated 28th September, 2022.
3. It is alleged that, plot belonging to the applicant was shown by the co-accused to informant. They collected the price of the land and called the informant in office of registrar for execution of sale deed but did not execute the same in favour of informant.
4. The land was plotted for sale. The land belongs to the applicant.

The hording was fixed on land of the applicant with phone numbers of the co-accused. The complainant had meeting with co-accused and also parted the amount to them. It is not the case of the complainant towards the sale consideration amount was handed over to the applicant. Except the fact that, the applicant is land owner, no other overt act of inducing the complainant to part with consideration or making false representation is attributed to the applicant.

4. Learned APP submits that investigation is in progress. The informant was deceived by the accused.

5. The applicant is owner of the land. All transactions, conversation and dealings were executed with co-accused by the complainant. Considering the factual aspect of the matter and the role attributed to the applicant, he need not be subjected to custodial interrogation.

ORDER

(i) Criminal Anticipatory Bail Application No. 2750 of 2022 is allowed.

(ii) In the event of arrest of the applicant in connection with C.R. No. 121 of 2022 registered with Nagotane Police Station, Raigad the applicant be released on bail on

executing P.R. Bond in the sum of Rs.20,000/- with one or more sureties in the like amount.

(iii) The applicant shall appear before the Investigating Officer on 12th 13th and 14th October, 2022 between 11:00 a.m. to 1:00 p.m.

(iv) Criminal Anticipatory Bail Application disposed off.

(PRAKASH D. NAIK, J.)