

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

ANTICIPATORY BAIL APPLICATION NO. 2861 OF 2021

1. Mr. Shivkumar Tipnna Nelge	
2. Mr. Subhash Tipnna Nelge	 Applicants
v/s.	
The State of Maharashtra	 Respondent

Mr. Manoj Mohite, Sr. Advocate a/w. Jagdish G. Aradwad
(Reddy) i/b. Satyam Nimbalkar for the Applicant.

Mr. A.A. Palkar, APP for the State.

Mr. Jayant Rajurkar, PI, Crime Branch, Pune City, present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 30th AUGUST, 2022.

P. C. :-

1. This is an Application under section 438 of Cr.P.C. for pre-arrest bail in C.R.No.423/2021 registered with Chaturshringi Police Station, Dist. Pune for offences punishable under sections 385, 420, 465, 467, 468, 471 r/w. 34 of the Indian Penal Code.

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

3. The allegations against the Applicants are that the Applicant No.1

has misused the power of attorney and transferred 22R land to Sai Agency through Subhash Nelge i.e., the Applicant No.2 and executed the sale deed dated 21/08/1996 and deed of confirmation dated 10/12/2009. The Applicant was granted interim protection on 29/11/2021 which has been extended from time to time.

4. Learned APP, on instructions, states that the Applicants have co-operated with the investigation and that the investigation is completed and charge sheet will be filed in due course. He states that 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.423/2021 registered with Chaturshringi Police Station, Dist. Pune, 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 Applicants 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.

5. Application stands disposed of.

**PREETI
H JAYANI**

(SMT. ANUJA PRABHUDESSAI, J.)

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PREETI H JAYANI
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