

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

ANTICIPATORY BAIL APPLICATION NO. 1870 OF 2018

Ramesh Hari Salvi	 Applicant
v/s.	
The State of Maharashtra and ors.	 Respondents

Mr. Rahul S. Kadam for the Applicant.
Ms. A.A. Takalkar, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 07th APRIL, 2022.

P. C. :-

. This is an Application under section 438 of Cr.PC. filed by the aforesaid Applicant apprehending his arrest in C.R.No.I-49/2018 registered with Kulgaon Police Station, Badlapur for offences punishable under sections 323, 406, 418, 420, 427, 465, 466, 467, 468, 471, 472, 504, 506 r/w. 34 of the Indian Penal Code.

2. Heard Mr. Rahul S. Kadam, learned counsel for the Applicant and Ms. A.A. Takalkar, 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 aforesaid crime was registered pursuant to the order passed

by the learned Magistrate under section 156(3) of Cr.P.C. The case of the prosecution in brief is that the Applicant had tampered with several Government records in respect of the property under Survey No.13, Hissa No.1 of Village Rahtoli, Taluka – Ambernath, Dist. Thane. The records prima facie indicate that a civil dispute is pending between the Applicant and the complainant. The Applicant was granted interim bail vide order dated 19/09/2018. Learned APP, under instructions, states that till date, the Investigating Officer has not called the Applicant for interrogation. She further states that the charge sheet is already filed against the co-accused. No explanation is given for not interrogating the Applicant during this interregnum period.

4. The presence of the Applicant is not required for the purpose of investigation. Considering the nature of the accusations, in my considered view, the Applicant is entitled for pre-arrest bail. Hence, the Anticipatory Bail Application is allowed on following terms and conditions :-

(a) In the event of arrest of the Applicant in C.R.No.I-49/2018 registered with Kulgaon Police Station, Badlapur, he shall be released on bail on furnishing bail bonds in the sum of

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

(b) The Applicant shall report to the Investigating Officer as and when required by the Investigating Agency ;

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

5. The Application stands disposed of.

**PREETI
H JAYANI**

(SMT. ANUJA PRABHUDESSAI, J.)

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