

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 2957 OF 2022

Shridhar Dhanaji Kirve	...Applicant
Versus	
The State Of Maharashtra	...Respondent

**ALONG WITH
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 2958 OF 2022**

Deepak Dhanaji Kirve	...Applicant
Versus	
The State Of Maharashtra	...Respondent

....

Mr. Dilip Bodake a/w Mr. Suyash Khose, Advocate for the Applicant in both ABA.

Ms. P. N. Dabholkar, APP for the Respondent – State ABA No.2957 of 2022.

Mr. A. A. Palkar, APP for the Respondent – State ABA No.2958 of 2022.

Mr. Santosh Jadhav, API Vadgaon Maval Police Station, Pune (Rurel) Present.

....

CORAM	:	PRAKASH D. NAIK, J.
DATE	:	20th OCTOBER, 2022.

PER COURT:

1. The applicants are apprehending arrest in C.R. No.52 of 2021 registered with Vadgaon Maval Police Station, Pune (Rurel) for the offences punishable under Sections 430, 423, 467, 468, 471, 201, 120-B read with Section 34 of the Indian Penal Code, 1860.

2. The family of the informant is the owner of land Survey Nos. 101, 110, 191, 195, 202, 208, 213, 453, 60 (in brief 'said lands') at village Nigde, Tal. Maval, Dist. Pune admeasuring about 46 acres in total. The informant alongwith his family members are cultivating the said lands. It is in possession of the family of the informant namely late Nana Ganpule from one Narayan Waghu Teli (Kirve) through sale-deed bearing No.51/1932 dated 3rd February, 1932. Accordingly mutation entries was made in the record. After death of Nana Ganpule, mutation No.597 was taken on 29th January, 1994 in the names of his legal heirs.

3. The name of grandfather of deceased Dhanaji Kirve is mentioned as tenant of the above said land in the revenue record. Dhanaji Kirve was the husband of applicant No.1 and father of applicant No.2. Taking undue advantage of said name, the applicants/accused, in collusion with some employees of the Revenue Department, have forged the entries in revenue record and have started claiming right over the above said land. The forgery came to the knowledge of the informant when the family members of applicants approached him claiming right over the above said lands in January 2020. The family members of applicants have also filed civil suit and claimed injunction on the

basis of the forged revenue entries. It is, therefore, the complaint came to be filed by the informant Mahdavi Ganpule, which is registered at Crime No. 51/2021. Apprehending arrest, the applicants have approached the Court for pre-arrest bail.

4. The co-accused Dnyaneshwar Pandurang Kirve and others preferred Anticipatory Bail Application No.2303 of 2021. The application came up for hearing on 12th January, 2022 at that point of time learned APP on instructions stated that, the said applicants had co-operated with the investigation and their statement is recorded and custody is not required for the purpose of investigation. They were granted interim protection. Interim protection was granted to one to the said applicants on 27th September, 2021 which was confirmed vide order dated 12th January, 2022. The other accused Ashok Kirve and others preferred Anticipatory Bail Application No. 2484 of 2021. The said Application was allowed by this Court vide order dated 19th September, 2022 paragraph eight of the said order indicates that, the investigation carried out does not depict with the said applications are benefited in all matters.

5. It is not disputed that, the role of the applicants is similar to the other accused who were granted relief of pre-arrest bail by this

Court.

6. Considering the aforesaid circumstances the prayer for pre-arrest bail can be granted.

ORDER

(i) Criminal Anticipatory Bail Application No. 2957 of 2022 and Criminal Anticipatory Bail Application No. 2958 of 2022 are allowed.

(ii) In the event of arrest of the applicants in connection with C.R. No.52 of 2021 registered with Vadgaon Maval Police Station, Pune (Rural), the applicant be released on bail on executing P.R. Bond in the sum of Rs.20,000/- each with one or more sureties in the like amount.

(iii) The applicants shall report Investigating Officer on 2nd, 3rd, and 4th November, 2022 between 11:00 a.m. to 1:00 p.m. and thereafter as and when called for till filing the charge-sheet.

(iv) Criminal Anticipatory Bail Applications disposed off.

(PRAKASH D. NAIK, J.)