

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO.560 OF 2023
WITH APPLN/1680/2023 IN ABA/560/2023

UJJAWALA W/O. PARMESHWAR NAZARKAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. V. D. Sapkal, Senior
Advocate i/by Mr. S. R. Sapkal
APP for Respondents: Mr. S. P. Sonpawale
...

CORAM : R.M. JOSHI, J

DATE : JULY 18, 2023

PER COURT :

1. Applicant apprehends arrest in connection with with C.R. No. 370 of 2020 registered with Gangapur Police Station, Dist. Aurangabad for the offences punishable under Sections 420, 467, 468, 471 read with Section 34 of the Indian Penal Code and Sections 82(k) and 83 of Registration Act.

2. Perusal of the FIR indicates that there are allegations against husband of the present Applicant of obtaining document in the name of Joseph by impersonating him with another person. There is also allegation in the report that leave and licence agreements were got prepared in the name of partnership

firms to which present Applicant is one of the partner.

3. Learned Senior Counsel for the Applicant states that the charge-sheet has been filed after conclusion of investigation and hence, the custody of the Applicant is not necessary. He further drew attention of the Court to the fact that after her husband was released on bail, she stood as surety which indicates that she never went absconding.

4. Learned APP though opposed the application and states that for the purpose of verification of the documents her custody is required, however, he does not dispute the fact that these documents are collected in another crime.

5. As far as the prosecution is concerned, it is their contention that the appropriate direction needs to be issued to the Applicant to attend concerned police station for the purpose of verification of those documents and other documents.

6. There is no dispute about the fact that the charge-sheet is filed after conclusion of investigation. Except for the fact that the Applicant

is one of the partner along with her husband, there is no other material in order to hold that custodial interrogation of the Applicant would be necessary. As far as document to which verification is sought to be done by investigating officer, the said documents are already in the custody of police.

7. In such circumstances, appropriate direction to the Applicant to attend concerned police station on specific day for further investigation remained, if any, would be sufficient. Hence, application is allowed by confirming order dated 17.04.2023 with a condition that Applicant to appear before investigating officer on 23rd & 30th July, 2023 between 11.00 am to 01.00 pm. Criminal Application No. 1680/2023 is disposed of.

(R.M. JOSHI, J.)

Malani