

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
ANTICIPATORY BAIL APPLICATION NO.1629 OF 2022**

GOPAL GOVIND LAKDE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Mr. Kedar Sunil Warad, Advocate for Applicants
Mr. A. V. Deshmukh, APP for Respondents – State
Mr. S. C. Swami, Advocate for Informant

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 17th JANUARY, 2023

PER COURT :

1. Applicants apprehend arrest in Crime No.216/2022, registered with Latur Rural Police Station, Latur, for offence punishable under Sections 420, 120-B, 465, 466, 467, 471 r/w 34 of the Indian Penal Code.
2. FIR is lodged by Omprakash Pannalal Bajaj alleging that accused/applicant No.1 was owner and possessor of the land admeasuring 10R in Gut No.32, situated at Village Borwati, District Latur. Out of the said land accused No.1 sold two pieces of land to the informant in the year 2015 and 2016, by executing two registered sale deeds. Though the informant applied for mutation of his name to the said plots, his name was not recorded. He came to know that accused has sold the same plots to accused Nos. 2 and 3. He, therefore, alleges that accused No.1 has prepared forged documents with a view to cheat him.

3. Heard learned advocate for applicants, learned Additional Public Prosecutor for State and learned advocate for informant. Perused the investigation papers.

4. *Prima facie*, allegations made in the FIR disclose civil dispute. So far as allegations of forgery of documents is concerned, the investigating officer has already seized alleged forged documents. Applicant No.1 has handed over original sale deed executed in his favour by the earlier owner Shanubai Apparao Shevankar, from whom applicant No.1 purchased the land in question.

5. Applicants were granted interim protection and they have cooperated in the investigation. Nothing is to be recovered from applicants. Pre-trial custodial detention of applicants is not necessary in the facts of the present case.

6. In the result, application is allowed by confirming interim order dated 01/12/2022. Till filing of charge-sheet, applicants shall attend concerned police station as and when called by investigating officer and cooperate in the investigating. Applicants shall not tamper prosecution evidence.

(NITIN B. SURYAWANSHI, J.)