

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

ANTICIPATORY BAIL APPLICATION NO. 3412 OF 2022

Shri. Shankar @ Shankarrao

Sattlingappa Mhetre

v/s.

The State of Maharashtra

... Applicant

.... Respondent

Mr. Viresh Purwant for the Applicant.

Mr. S.V. Gavand, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 30th MARCH, 2023.

P. C. :-

. This is an Application under section 438 of Cr.PC. filed by the aforesaid Applicant apprehending his arrest in C.R.No.484/2021 registered with Sadar Bazar Police Station, Dist. Solapur for offences punishable under sections 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 aforesaid crime was registered pursuant to the FIR lodged by Shrinivas Moglappa Pogul. The Complainant claims that he is the

owner of the property under Gat No.169/1 of Village Akkalkot. A portion of the said property was acquired by the Government and the Complainant was issued notice to produce the documents in respect of the property to receive the compensation. It is stated that one Ramu Koli had raised objections before the LAO. He claimed right to the property on the basis of the gift deed registered in the year 1988. The Complainant has alleged that the gift deed is forged and fabricated and Ramu Koli has also changed survey entry on the basis of forged documents. The name of the Applicant is not reflected in the FIR. The Applicant has been arrayed as an accused only on the basis of the statement made by one of the co-accused.

4. Learned APP concedes that apart from the statement of the co-accused, there is no material on record to show the involvement of the Applicant in the aforesaid crime. Hence, the Application is allowed on the following terms and conditions :-

(a) In the event of arrest of the Applicant in C.R.No.484/2021 registered with Sadar Bazar Police Station, Dist. Solapur, 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 Officer ;

(c) The Applicant shall not interfere with the Complainant and the other 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 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.

(SMT. ANUJA PRABHUDESSAI, J.)