

HEMANT
CHANDERSEN
SHIV

Digitally signed
by HEMANT
CHANDERSEN
SHIV
Date:
2023.05.09
15:45:15 +0530

901.aba626.23.doc

Shiv

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.626 OF 2023**

Shobha Pradeep Singh ...Applicant
vs.
State of Maharashtra ...Respondent

**WITH
INTERIM APPLICATION NO.825 OF 2023
IN
ANTICIPATORY BAIL APPLICATION NO.626 OF 2023**

Prakash Ramchandra Naik ...Applicant

In the matter between

Shobha Pradeep Singh ...Applicant
vs.
State of Maharashtra ...Respondent

Dr. U. P. Warunjikar with Mr. Sumit Kate i/b Ms. Sonali R. Chavan for
the Applicant in ABA No.626/2023.
Mr. Akash Kawde with Mr. Malhar Kadam i/b Ms. Kanchan Jha for
the Applicant in IA No.825/2023.
Mr. Y. Y. Dabke APP for the Respondent-State.

CORAM : S. M. MODAK, J.

DATED : 27TH APRIL 2023

P. C. :

1. Heard learned Advocate Dr. Warunjikar for the Applicant,
learned Advocate Mr. Kawde for the first informant and learned APP
Mr. Dabke for the Respondent-State.

2. As per order dated 2/03/2023, this Court has granted interim protection to the Applicant, who is not named in the FIR bearing No. 622/2022. Her name is subsequently disclosed. The original accused are Gajanan Bandhu Singh and Pradeep Lalan Singh. Whereas she is the wife of said Pradeep Singh.

About FIR bearing No. 622/2022.

3. There is grievance made by the first informant that the said structure was allowed to be used by accused Pradeep Lalan Singh for arranging functions by him and he was not paying rent to the first informant. Further grievance is that unauthorisedly accused Gajanan Singh has executed agreement of leave and license on 28/02/2022 in respect of structure standing thereon and used for arranging functions. The first informant got knowledge of this registered leave and license agreement subsequently. He claims that the said Gajanan Bandhu Singh is having no authority to execute leave and license agreement with accused Pradeep Singh. On this background the F.I.R., is registered under section 420,477,448, 506 read with 34 of I.P. Code.

4. The prosecution agency has added wife of Pradeep Lalan Singh

subsequently for the reason that she applied to Corporation for entering her name in their record as an owner.

5. Learned Advocate for the first informant submitted that it is not only leave and license agreement that is forged one but subsequently it is revealed that there is one sale deed alleged to be executed in between said Gajanan Bandhu Singh as the purchaser and Mansukhlal Nathubhai Dagli as the vendor.

About FIR bearing No. 239/2022.

6. It is true that there is subsequent FIR registered at Tulinj police station as C.R. No.239 of 2023 on 18/3/2023 at the instance of Gajanan Singh, who is accused No.1 in earlier offence. This FIR is registered for the offence punishable under sections 420, 447, 448, 506 read with 34 of IPC.

7. In the said FIR Pradeep Singh and Shobha Singh who are husband and wife, they are accused persons. They have filed separate Anticipatory Bail Application No.1054 of 2023.

8. Interim Application No.825 of 2023 is filed by the original first informant Prakash Naik in C.R.No. 622 /2022. It is served on learned Advocate for the Applicant. There are also annexures.

Learned Advocate submitted that in fact his client has got the land surveyed and he wants to place those papers on record. He can do so by supplying copy of other side. Let that Intervention Application be allowed.

9. Interim protection, granted earlier, to continue till the next date.
10. Let Applicant-Shobha to cooperate police as and when required.
11. Matter be kept on **22nd June 2023**.

[S. M. MODAK, J.]