

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1132 OF 2023

Sachin Gunderao Pawar	...Applicant
V/s.	
The State of Maharashtra	...Respondent

WITH
INTERIM APPLICATION (ST) NO. 7930 OF 2023

Sanatkumar Kulvant Singh Chouhan	...Applicant
V/s.	
The State of Maharashtra	...Respondent

Mr. Shantanu Phanase a/w Akshay Nijampurkar a/w Pranil Gadhare
for the Applicant.

Mr. Sachin Thorat for the Intervener.

Mr. A.A. Palkar, APP for the Respondent/State.

API Rajendra Jadhav, Kalamboli Police Station.

CORAM : N.R. BORKAR, J.
DATE : 21.04.2023

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 38 of 2023 registered at Kalamboli Police Station, for the offences punishable under Sections 420, 120-B, 441, 447, 465, 468 and 471 of the Indian Penal Code (IPC).

3. I have heard the learned counsel appearing for the applicant, the learned APP for the respondent / State and the learned counsel for the intervener.

4. It is the case of the prosecution that in the year 1996 CIDCO had allotted plot No. 18-A in Section-14 at Kalamboli, Navi Mumbai to the brother-in-law of the complainant namely Suresh Pal, who is a Non-Resident Indian citizen. On 2 January 2022, they found that somebody had constructed a four storied building on the said plot. On inquiry with CIDCO, they found, somebody had impersonated as Suresh Pal by preparing forged Aadhar Card and sold the plot in question to co-accused Amit Pathak and he then sold the said plot to the co-accused Swapnil Popere and it was he, who constructed the four storied building on the plot owned by the brother-in-law of the complainant. During the course of investigation, it had transpired that the applicant got Rs.9,33,000/- (in words Nine Lakhs Thirty Three Thousand) from the impersonator.

5. The learned counsel for the applicant submits that the applicant, who is a real estate agent, got the said amount toward commission. However, it appears that the applicant is involved in four more crimes of similar nature. It appears to be some sort of racket and therefore, custodial interrogation of the applicant is necessary. Considering the overall facts and circumstances, I am not inclined to release the applicant on anticipatory bail.

6. The Application is rejected.

7. The Interim Application for intervention is disposed of.

[N.R.BORKAR, J.]