

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

ANTICIPATORY BAIL APPLICATION NO.1703 OF 2023

Dr. Vishal Digambar Madane	... Applicant
v/s.	
The State of Maharashtra	 Respondent

Mr. Aabad Ponda, Sr. Advocate a/w. Mr. Shamsher Garud,
Ms. Vidhi Karia i/b. Jayakar and Partners for the Applicant.
Mrs. A.A. Takalkar, APP for the State.
Mr. Katkar, PI, Khar Police Station, present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 28th JUNE, 2023.

P.C. :-

. The Applicant apprehends his arrest in C.R.No.404/2022 registered with Khar Police Station, Mumbai for offences punishable under sections 120-B, 143, 147, 209, 380, 420, 427, 452, 465, 467, 468, 471, 504 and 506 of the Indian Penal Code.

2. The aforesaid crime was registered pursuant to the FIR lodged by one Dnyanesh Madhavrao Narhare. The dispute is in respect of residential premises situated at Khar, Mumbai. Pushpa Gidwani, the mother-in-law of the first informant is stated to be one of the owners of the said premises. It appears that there was some dispute between said Pushpa Gidwani and Riyaz Khatri which was settled by filing

consent terms. The first informant claims that the consent terms are forged and Pushpa Gidwani is not a signatory to the said consent terms.

3. It is to be noted that the FIR has already been registered against said Riyaz Khatri for filing forged and fabricated consent terms. There are no allegations against the Applicant for forging and fabricating the consent terms. The only allegation against the Applicant is that he had trespassed in the property. Mr. Ponda, learned senior counsel states that the Applicant does not even claim any right in the property which is allegedly owned by Pushpa Gidwani. Considering the nature of accusations against the Applicant and the material in support thereof, in my considered view, this is not a case which would justify custodial interrogation. Hence, the Application is allowed on the following terms and conditions :-

(a) In the event of arrest of the Applicant in C.R.No.404/2022 registered with Khar Police Station, Mumbai, 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 for two days i.e., on 03/07/2023 and 04/07/2023 between 11:00 a.m. to 02:00 p.m. ;

(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.

4. The Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)