

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
ANTICIPATORY BAIL APPLICATION NO. 1112 OF 2020**

Satish Bhaskar Tamaskar

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. Bharat Gadhave a/w Mr. Chinmay Deshpande i/b Mr. Tejesh Dande  
for the Applicant.

Mr. Amit Palkar, APP for the State.

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**CORAM : N.R. BORKAR, J.**

**DATED : 24 JANUARY 2023**

**P.C. :-**

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

2. On 9 February 2021, this Court passed the following order:

*“1. The Applicant is seeking anticipatory bail in connection with C.R.No.30/2018 registered with Hinjewadi Police Station, District - Pune under Sections 420, 423, 120-B of the Indian Penal Code and under provisions of Prevention of Corruption Act, 1988.*

*2. Heard Shri Tejesh Dande, learned Counsel for the Applicant and Smt. J.S. Lohokare, learned APP for the State.*

*3. The gist of the FIR is that a land bearing Survey No.220, Hissa No.1 & 5/5 at Hinjewadi, Taluka-Mulshi, District-Pune admeasuring 0.83 hectares was attached by the Enforcement Directorate in connection*

with an offence No.ECIR/65/MZO/2009. The Accused in that case were Sayed Mohd Masood and others. They sold this property to M/s. Sahil Realtors, who in turn sold it to Hindavi Swaraj Trading Private Limited. The last purchaser raised construction on that land and the flats were sold to flat purchasers. On this basis, the FIR is lodged.

4. The role assigned to the present Applicant is that he was the Architect who had obtained various permissions for such construction and had forwarded copy of completion certificate to a Director of Hindavi Swaraj Trading Private Limited.

5. Learned Counsel for the Applicant submitted that the Applicant had nothing to do with the sale-purchase transaction. He had only applied for permission and had done his job. He was not aware of the history of the attachment. He submitted that he is a cancer survivor and at the relevant time when the copy of Completion Certificate is supposed to have been forwarded, he was already taking treatment in hospital.

6. Learned A.P.P. has opposed this application by filing affidavit of the investigating officer. The gist of the allegations against the present Applicant are mentioned above.

7. I have considered all these submissions. The Applicant is an aged person who has survived cancer. He is not one of the Directors of the firm that had purchased the property, and had raised construction. His role appears to be lesser than the other accused. He will still have to explain his involvement and forwarding of copy of Commencement Certificate. For that purpose, at this stage, it is necessary for him to put forth his case before the investigating officer. Therefore, at this stage, I am passing following order :

#### O R D E R

(i) In the event of his arrest in connection with C.R.No.30/2018 registered with Hinjewadi Police Station, District- Pune, till the next date, the Applicant

*be released on bail on his executing a P.R. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.*

*(ii) This order shall operate till 16.03.2021.*

*(iii) The Applicant shall attend the office of the investigating agency and shall cooperate with the investigating agency for investigation from 22nd to 25th February, 2021 between 1:00 p.m. to 4:00 p.m. In addition, the Applicant shall attend the office of the investigating agency as and when called and shall cooperate with the investigation.*

*(iv) Stand over to 16.03.2021.”*

3. It is submitted that prosecution has filed the charge-sheet against the present applicant and other co-accused.

4. Considering the overall facts and circumstances, I am inclined to allow the present application. Interim order passed by this Court dated 9 February 2021 is hereby confirmed.

5. Application is disposed of.

( N.R. BORKAR, J. )