

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

ANTICIPATORY BAIL APPLICATION NO. 2021 OF 2023

Sanjaykumar Hiralal Dargar and Ors. ...Applicants

vs.

The State of Maharashtra ...Respondent

Mr.Satyam Pille a/w Mr.Vaibhav Patil – Advocates for Applicant.
Mr.S.R.Agarkar – APP for Respondent-State.
Mr.K.K.Suranje – ASI – Badlapur West Police Station.

CORAM : S. M. MODAK, J.

DATED : 26TH JULY 2023

P. C. :

1. Heard learned Advocate for the Applicants and learned APP Investigating Officer is present.
2. There is one complaint lodged by one Kailas Namdev Mhatre against in all four persons on 16th March, 2023 to the Hon'ble Governor. Its copy is forwarded to Badlapur West Police Station as per letter dated 15th May, 2023. However, they have not cooperated. They have sent a reply on 10th June, 2023 (Page No.15).
3. Sum and substance of the allegation in the complaint is that present Applicants have sold the transfer of development rights

belonging to the plot of the first informant without his consent and he has lost Rs.3,00,00,000/-. Anticipatory Bail Application filed before the Court of Additional Sessions Judge is rejected. One of the reason is that yet the offence is not registered.

4. Learned APP submitted that they will issue to him **24** hours notice. In view of that, following order is passed :-

O R D E R

- (i) If the Police will register an FIR, they are directed to give **72** hours notice to the Applicants.
 - (ii) If thereafter, there is an apprehension, they are at liberty to move the Court of Additional Sessions Judge – Kalyan.
5. Application is disposed of in the aforesaid terms.
6. All the parties to act on an authenticated copy of this order.

[S. M. MODAK, J.]