



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2535 OF 2023**

Tulasidas Gopinath Fadtare and Ors.	...	Applicants
versus		
The State of Maharashtra and Anr.	...	Respondents

Mr. Ghanasham S. Jadhav, for Applicants.
Ms. Anamika Malhotra, APP for State.
Mr. Abdul kadar Millwala, for Respondent No.2.
Mr. V.S.Pawar, API, Shikrapur Police Station present.

CORAM: N.J.JAMADAR, J.

DATE : 7 DECEMBER 2023

P.C.

1. Heard the learned Counsel for the parties.
2. This is an application for pre-arrest bail in connection with C.R.No.802 of 2020 registered with Shikrapur Police Station for the offences punishable under Sections 420, 464, 467, 468 read with Section 34 of the Indian Penal Code.
3. The applicants had allegedly sold the subject premises by setting up an impostor. The first informant had acquired the subject premises from Liyakat, original holder of the property for valuable consideration. When the first informant approached the revenue authority, it transpired that the applicant No.4 allegedly impersonated the vendor of the first informant and executed an instrument in respect of the subject property in favour of the rest of the applicants.
4. The first informant came to be impleaded as party Respondent to this

Application. Respondent No.2 has filed an affidavit conveying no objection to grant interim protection. It is affirmed that the matter has been amicably resolved between the parties and instruments have been executed in his favour and a sum of Rs.35 Lakhs has been paid to him by way of post dated cheques.

5. Evidently, the first informant and the applicants seems to have amicably resolved the dispute. The offences resolve around documents. In view of the comprehensive settlement arrived at between the parties, at this stage, custodial interrogation of the applicants does not seem to be warranted to facilitate further investigation. In view of the above, I am inclined to allow the application.

6. Hence, the following order :

ORDER

(i) In the event of the arrest of the Applicants – Tulasidas Gopinath Fadtare, Nilesh Satyanarayan Fadtare, Nasim Abdul Vahid Ansari and Satyanarayan Nanasaheb Fadtare in connection with C.R.No.802 of 2020 registered with Shikrapur Police Station, they be released on bail on furnishing a PR bond in the sum of Rs.30,000/- each with one or two sureties in the like amount.

(ii) The Applicants shall co-operate with the investigation and report to Shikrapur Police Station on 15th and 16th December 2023 in between 10.00 a.m. to 1.00 p.m., and thereafter, as and when directed.

(iii) The Applicants shall not tamper with the prosecution evidence

and/or give threat or inducement to the first informant or any of the prosecution witnesses or any of the persons acquainted with the facts of the case.

(iv) The Applicants shall regularly attend the proceedings before the jurisdictional Court.

(v) The application stands disposed.

(vi) It is, however, clarified that the observations are confined to the consideration of entitlement for pre-arrest bail and the trial Court shall not be influenced by any of the observations in further proceedings.

(N.J.JAMADAR, J.)