

Versus

The State of Maharashtra and another ... Respondents

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None for the Applicants.

Ms. Rutuja Ambekar, APP for the State.

Mr. Pranot Pawar for Respondent No.2.

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CORAM: N.R. BORKAR, J.

DATED : 17 JANUARY 2023

P.C. :-

This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicants are apprehending their arrest in Crime No.935 of 2021 registered at Kondhwa Police Station, Pune for the offence punishable under Section 420 r/w. 34 of Indian Penal Code.

3. I have heard the learned APP and the learned Counsel for Respondent No.2.

4. On 16 December 2021, this Court passed the following order :

- “1. Heard learned Counsel for the applicants and learned APP.
2. Perused the First Information Report (FIR).
3. Prosecution alleges that accused Mayur Sopan Pangare, Minatai Thakare, Alim Abdul Shaikh, Abid Rafique Sajjan (applicant) and Smt. Ayesha Abid Sajjan (applicant) by taking undue advantage of informant’s blindness and by giving false information, obtained the signature on a document and without his permission sold his share of flat.
4. Since the alleged offence is based on documentary evidence, prima facie, the applicants have made out a case for ad-interim protection. Hence the following order is passed:

ORDER

- (i) In the event of arrest of the applicants in C.R.No.935 of 2021 registered with Kondhwa Police Station, Pune City for the offences punishable under Section 420 of the Indian Penal Code, the applicants be enlarged on bail on their furnishing PR & SB in the sum of Rs. 20,000/- each with one or two surety/sureties in like amount.
- (ii) The applicants shall attend the concerned police station as and when called by the investigating officer.
- (iii) Issue notice to the concerned police station, returnable on 19th January, 2022.
- (iv) This order shall remain in force till the next date.”

5. The parties have filed the consent terms dated 16 January 2023. In that view of the matter, I am inclined to allow the present application. In the result the following order is passed :

- (i) The interim anticipatory bail granted by order dated 16 December 2021 is hereby confirmed.
- (ii) The application is disposed of.

KANCHAN
PRASHANT
DHURI

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by KANCHAN
PRASHANT
DHURI
Date: 2023.03.15
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(N.R. BORKAR, J.)