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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3360 OF 2022

Monish Tukaram Kadu

...Applicant

V/s.

The State of Maharashtra

...Respondent

Sanjeev P. Kadam a/w Prashant P. Raul a/w Aditi Rajput a/w Varsha Thorat a/w Pratik Deshmukh i/b Saniya Patki for the Applicant.

Mr. Kalpesh Patil for the Complainant.

Ms. Veera Shinde, APP for the Respondent/State.

API Ranware, Haveli Police Station.

CORAM : N.R. BORKAR, J.
DATE : 13.04.2023

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No. 0034 of 2022 registered at Haveli Police Station, District- Pune, for the offences punishable under Sections 420, 447, 467, 468 and 471 of the Indian Penal Code (IPC).
3. I have heard the learned counsel for the applicant, learned counsel for the complainant and the learned APP for the respondent / State.
4. The allegations are of execution of sale-deed of land owned by the complainant by way of impersonation.
5. Learned counsel for the applicant submits that the applicant

is a bonafide purchaser. It is submitted that amount of consideration was paid by cheques. It is submitted that the applicant himself is the victim of impersonation.

6. Learned APP submits that the prosecution has already filed charge-sheet against the other co-accused.

7. It is not shown that the applicant had not paid the amount of consideration or payment of consideration was just a camouflage. There are no other criminal antecedents. Considering these facts and as the prosecution has already filed the charge-sheet against the other co-accused, I am inclined to grant the anticipatory bail to the applicant. In the result the following order is passed.

ORDER

A) Application is allowed.

B) In the event of arrest of the applicant- Monish Tukaram Kadu, in C.R. No. 0034 of 2022 registered at Haveli Police Station, District- Pune, for the offences punishable under Sections 420, 447, 467, 468 and 471 of the IPC, the applicant be released on bail on executing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C) The applicant shall attend the concerned police station as and when called by the Investigating Officer and shall co-operate in the investigation till filing of the supplementary charge-sheet against him.

[N.R.BORKAR, J.]