

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3458 OF 2022**

Chander Motiram Tahiliani ...Applicant

Versus

The State of Maharashtra ...Respondent

.....

Mr. Parth Shah i/b Mr. Adwait Bhonde for the Applicant.
Mr. Amit Palkar, APP for the State.

.....

CORAM : N.R. BORKAR, J.
DATED : 3 FEBRUARY 2023

P.C. :-

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

2. The applicant is apprehending his arrest in Crime No. 229 of 2022 registered at Bundgarden Police Station, Pune for the offences punishable under Sections 420, 465, 467, 468, 471 r/w 34 of the Indian Penal Code.

3. I have heard the learned counsel for the applicant and the learned APP for the respondent-State.

4. It appears from the First Information Report that the co-accused-Pratapchand Marwadi has prepared fake death certificate of the complainant, brother of the complainant so also of Uncle and Aunt of the complainant. On the basis of said death certificates, he obtained

succession certificate from civil Court, Pune. It is alleged that on the basis of said certificate said co-accused- Pratapchand Marwadi executed power of attorney and MOU in favor of the applicant in respect of immovable property owned by the complainant and others.

5. Prima facie, the present applicant does not appear to be involved in alleged forgery. Considering the facts and circumstances of the case, I am inclined to release the applicant on anticipatory bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) In the event of arrest of applicant- Chander Motiram Tahiliani in Crime No. 229 of 2022 registered at Bundgarden Police Station, Pune for the offences punishable under Sections 420, 465, 467, 468, 471 r/w 34 of the Indian Penal Code, he shall be released on bail on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
- (iii) The applicant shall attend the concerned police station as and when called by the Investigating Officer and shall co-operate in the investigation.

(N.R. BORKAR, J.)