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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.13 OF 2024

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| 1. | Shaikh Khaled Abdul Khayyum | APPLICANTS |
| 2. | Pathan Mohd Shakir Khan | |

VERSUS

The State of Maharashtra and Another	RESPONDENTS
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Mr. Saeed S. Shaikh, Advocate for the applicants
Mr. S. P. Sonpawale, APP for respondent - State
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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 15th MARCH, 2024

ORDER :

1. Applicants apprehend arrest in Crime No. 675 of 2023 registered with Kalamnuri Police Station, District - Hingoli for offence punishable under 420, 468, 471 read with 34 of the Indian Penal Code.
2. FIR is lodged by Naseemunisa Begum w/o Jaleel Ahmed Khan Pathan, on 8th December, 2023, alleging that she has purchased a plot from Survey No.184/09, admeasuring 3.68 R, from Dashrath Ragoji Gunjkar on 25th March, 2008 and constructed a house on the said plot. Her step son, conspiring with applicants prepared a false Hibbanama and one lady impersonated her and forged her signature on it. Said forged

Hibbanama was used to transfer said plot. Thus, applicant and co-accused prepared forged and bogus Hibbanama and cheated the informant.

3. Heard learned advocate for applicants and learned APP for the State. Perused the papers of investigation.

4. Allegation against applicants appears to be that they have signed as witnesses the alleged forged Hibbanama, which was got executed by impersonation, by accused Nos. 1 and 2.

5. Applicants were granted interim protection and they have co-operated in the investigation. Nothing is to be recovered from them. Considering the role attributed to applicants in the present crime and the papers of investigation, their pretrial custodial detention does not seem necessary. Application is, therefore, allowed by confirming interim protection.

6. Till filing of charge sheet, applicants shall attend the concerned police station as and when called by the Investigating Officer and shall co-operate in the investigation. Applicants shall not tamper prosecution evidence.

**[NITIN B. SURYAWANSHI]
JUDGE**