



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

936 ANTICIPATORY BAIL APPLICATION NO. 540 OF 2024

Pundlik Digambar ChoudharyApplicant

VERSUS

The State of MaharashtraRespondent

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Mr. V. V. Bhavthankar, Advocate for Applicant.

Mr. C. V. Badane, APP for the State.

Mr. P. S. Anerao, Advocate for the informant.

CORAM : R. M. JOSHI, J.

DATE : 8th OCTOBER, 2024.

PER COURT :

1. Applicant apprehends arrest in connection with Crime No. 0048/2024, registered with Mukhed Police Station, District Nanded, for the offences punishable under Sections 420, 464, 468, 471 of the Indian Penal Code.

2. First informant Sachin Ingole filed application under Section 156(3) of the Code of Criminal Procedure before the Judicial Magistrate First Class for seeking directions for registration of First Information Report against the Applicant. Pursuant to the order passed by the Court, report came to be lodged. It is the contention of the informant that the present Applicant has obtained plot in Tilak

Nagar in a co-operative society on the basis of false and bogus documents. There is also allegation that he did not carry out construction on the plot within two years and thereby he has cheated the public at large. It is also alleged that by carrying out interpolation in the record, the Applicant has got his name mutated.

3. Learned counsel for the Applicant submits that there is absolutely no evidence on record to indicate that any bogus documents were used by the Applicant in order to get the plot in question. He has made grievance that the Chairman of the society is in collusion with the informant and therefore, he is not cooperating in the investigation.

4. Learned counsel for the informant opposed the application on the ground that the Applicant has used bogus documents to obtain allotment of plot in his name. He has also made a statement that said allotment has been cancelled by the concerned authorities.

5. Learned APP opposed the application.

6. Perusal of the investigation papers do not indicate any bogus/false documents being produced by the Applicant before the society for obtaining allotment of the plot. As far as allegation about there being no construction within two years is concerned, it may have different consequence but criminal offence. There is absolutely no evidence in order to hold that there was any use of bogus document as alleged by the informant against the Applicant. There is further nothing on record to indicate that the allotment in favour of the Applicant has been cancelled at any point of time. Hence, it is a fit case to confirm the interim relief. Application is accordingly allowed in terms of the interim order.

(R. M. JOSHI)
Judge

dyb