



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 632 OF 2024

Gopal Govind Lakade

VERSUS

The State of Maharashtra and another

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Advocate for Applicant : Mr. Himmatsinh D. Deshmukh

APP for Respondents: Mr. P.K. Lakhotiya

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CORAM : SHIVKUMAR DIGE, J.
DATED : 9th AUGUST, 2024.

PER COURT :-

1. The applicant apprehends arrest in connection with crime No. 0141 of 2024 registered with M.I.D.C. Police Station, Latur, district Latur for the offences punishable under sections 420, 464, 467, 468, 469, 470, 471 r/w 34 of Indian Penal Code.

2. It is the prosecution's case that the informant purchased a plot by way of sale deed which is situated at Pakharsangavi. When she visited the said plot, she found that one lady was staying there by erecting a temporary shed. When she inquired with the said lady about her stay, the said lady told the informant that she has purchased the said plot from accused No.1 on the basis of Tharav Patra (Agreement to sale). When the informant saw the said Tharav Patra, she came to know that accused No.1 alongwith the applicant

had forged her signature on said Tharav Patra. It is alleged that the applicant has signed the said Tharav Patra as witness.

3. It is the contention of the learned counsel for the applicant that the applicant has signed the said Tharav Patra as witness. He was not aware about the transaction between the accused No.1 and the informant. The applicant has no role in the said crime. Hence, custodial interrogation of the applicant is not required and requested to allow the application.

4. It is the contention of the learned APP that the applicant was in collusion with the accused No.1. The applicant was aware that the accused No.1 had forged the signature of the informant and she was not present when the said Tharav Patra was registered with the Notary. It shows the involvement of the applicant in the said crime. The custodial interrogation of the applicant is required and requested to reject the application.

5. I have heard both the learned counsel. Perused the F.I.R. and the police papers produced on record. The allegations against the applicant are that he is signatory on the said Tharav Patra prepared by accused No.1. It is alleged that accused No.1 has forged the signature of the informant and the applicant has signed on the said

Tharav Patra as witness and said plot is given for use to the lady who was allegedly staying on the plot of the informant. Considering this fact, the custodial interrogation of the applicant is not required. Hence I pass the following order:-

ORDER

- (i) The application is allowed.

- (ii) The interim anticipatory bail granted to the applicant vide order dated 18.04.2024 stands confirmed on the same terms and conditions with following modification:-
 - (a) the applicant shall attend the concerned police station as and when required by the Investigating Officer.

(SHIVKUMAR DIGE, J.)

rlj/