



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO.1158 OF 2023

Atique s/o Laik Shaikh
Age 28 years, Occ. Engineer,
R/o Samata Nagar, Udgir,
Taluka Udgir, Dist. Latur

... Applicant
(Sole accused in FIR)

Versus

1] The State of Maharashtra
Through its In charge
Police Station Officer,
Udgir City Police Station,
District Latur

2] The Superintendent of Police,
Latur

... Non-Applicants
(Prosecution)

...
Mr. R. S. Deshmukh, Sr. Advocate i/b Mr. Devang Deshmukh,
Advocate for Applicant
Mr. S. B. Jadhav, APP for Respondents/State

...

CORAM : NITIN B. SURYAWANSHI, J.

**RESERVED ON : 20th FEBRUARY, 2024
PRONOUNCED ON : 05th MARCH, 2024**

ORDER :

1. Applicant apprehends arrest in C.R. No.94/2023, registered with Udgir City Police Station, Latur, for offence punishable under Sections 420, 406, 464, 465, 468, 469, 470, 471 of the Indian Penal Code.

2. FIR is lodged by Shivkumar Basvaraj Pande, stating that he is Joint owner of Plot No.38 of Survey No.221/3, along with Tajoddin Chandpasha Shaikh and Dhanraj Nagorao Patil. He was trying to get Gunthewri Certificate of the said plot and came to

know that applicant Atique does work of obtaining Gunthewari Certificate. He, therefore contacted applicant Atique Laik Shaikh in March, 2020. Applicant demanded amount of Rs.30,000/- for getting Gunthewari certificate and told him that one month's time will be required for the same. Atique Shaikh agreed to take Rs.27,000/- from informant for getting Gunthewari Certificate. He obtained signatures of informant and joint owners of said plot on some documents. Thereafter Atique gave him Gunthewari Certificate bearing No.G-1578 on 17/05/2020. On the basis of said certificate, informant along with other plot owners sold Plot No.38 to Kashiram Ramrao Rathod by a registered sale deed. Thereafter informant came to know that offence is registered against Atique Shaikh and three others for preparing forged Gunthewari Certificates. On suspicion they approached Municipal Council Office, Udgir, and on inquiry they came to know that Gunthewari Certificate given to them by Atique Shaikh is not genuine and the same was not issued by Municipal Council, Udgir. Gunthewari Certificate No.G-1578 is issued to Rajkumar alias Trimbak Manikrao Ladade. He, therefore, lodged FIR claiming that Atique Shaikh, by obtaining Rs.27,000/- from them, has given forged and bogus Gunthewari Certificate and cheated them.

3. Heard learned Senior Advocate for applicant and learned APP for respondents/State. Perused investigation papers.

4. Offence at C.R. No.92/2022 is registered against

applicant Atique and Maroti Babaji Apte, at Udgir City Police Station, Latur, on the information given by Joint Sub-Registrar, Udgir, under Sections 420, 465, 466, 467, 468, 471 of I.P.C., wherein similar allegations are levelled about preparing bogus Gunthewari Certificates, preparation of bogus layout and issuing bogus receipts of Gunthewari Certificates. In the said crime 15 bogus Gunthewari Certificates and other important documents are seized from applicant. Applicant is granted anticipatory bail in said crime.

5. In the investigation of present crime, it is revealed that applicant has issued bogus Gunthewari Certificate bearing No. G-1578 to informant by obtaining Rs.27,000/- from him. In fact, genuine certificate bearing No.G-1578 is issued to Rajkumar alias Trimbak Manikrao Ladade.

6. Considering the complicity of applicant in commission of serious offence and his antecedents, applicant does not deserve discretionary relief of anticipatory bail. For effective investigation custodial interrogation of applicant is necessary. Hence, the application is rejected.

7. At this stage, learned advocate for applicant prays for continuation of interim protection granted to applicant. For the reasons stated in the order, said prayer is rejected. Interim protection granted earlier stands vacated.

(NITIN B. SURYAWANSHI, J.)