



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1477 OF 2024

Shivaji Vinayakrao Mule
VERSUS
The State Of Maharashtra

.....
Mr. Suvidh S. Kulkarni, Advocate for Applicant
Mr. R.B. Dhaware, APP for Respondent – State
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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 18th SEPTEMBER, 2024

ORDER :

1. Applicant apprehends arrest in connection with Crime No.119 of 2023 registered with Taluka Jalna Police Station, District-Jalna for offence punishable under sections 420, 466, 468, 471 read with section 34 of the Indian Penal Code.

2. FIR is lodged by Kalpana Ramniwas Gaud, alleging that she had purchased plot No.20 from Survey No.469 from Mohammad Abdul Naeem Mohammad Abdul Aziz, partner of Gajanan Plots and Housing Sales Corporation, vide registered sale deed No. 870/1993. When informant applied for PR card in the year 2016, it was found that up to the year 2015, name of Gajanan Plots and Housing Corporation was recorded as owner of the said plot, however, by Entry dated 25th April,

2019, name of Prashant Kulkarni is mutated in respect of the said plot. Thereafter, it appears that name of Prashant Kulkarni is removed and name of Siddiqui Jarina Begum Abdul Neem is included, on the basis of a partnership deed. Informant, therefore, alleged that said entry is taken behind her back and with the use of false documents Mohammad Abdul Neem has sold property to different persons from Survey No. 469. On the basis of information, offence in question is registered. Anticipatory Bail Application filed by applicant is rejected by Sessions Court. Hence, present application.

3. Heard learned advocate for applicant and learned APP for respondent - State. Perused the Investigation papers.

4. It appears from the record that only role attributed to the applicant that he is attesting witness to the sale deed in question except that, there is nothing on record to show active involvement of applicant. Therefore, custodial interrogation of applicant is not necessary in the facts of the present case.

5. In the result, application is allowed. In the event of arrest of applicant Shivaji Vinayakrao Mule, in Crime No.119 of 2023 registered with Taluka Jalna Police Station, District-Jalna for offence punishable under sections 420, 466, 468, 471 read

with section 34 of the Indian Penal Code, he be released on executing personal bond of Rs.25,000/- with one surety in the like amount.

6. Applicant shall attend the concerned police station everyday from 23.09.2024 to 30.09.2024 between 10.00 a.m. to 2.00 p.m. Thereafter, till filing of charge-sheet, applicant shall attend the concerned police station as and when called by the investigation officer and shall co-operate in the investigation. Applicant shall not tamper prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE