



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1765 OF 2023

Ajit Anil Kakade

....Applicant

VERSUS

The State Of Maharashtra And Another

.....Respondents

.....

Mr. N.B. Patekar, Advocate for applicant

Mr. D.R. Korde, APP for State

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 24th APRIL, 2024

ORDER :

1. Applicant apprehends arrest in C.R. No. 106/2020, registered at Shrigonda Police Station, Dist. Ahmednagar, for offences punishable under sections 420, 465, 466, 467, 468, 471 of Indian Penal Code.

2. FIR is lodged by Chandrakant Dhamdhare, Secretary of Late Anjanabai Bhikajirao Dhamdhare Trust, Ahmednagar alleging that agriculture land Block No. 728, situated at village Belwandi was belonging to one Dhamdhare Trust. Most of the trustees of the said trust were died prior to 25 to 30 years of the year 2015. Accused No. 2- Subhash Pawar prepared forged agreement for sale and power of attorney purportedly presenting

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bogus persons in the name of deceased trustees. He also obtained order of crop cultivation in 7/12 extract from revenue authority by presenting bogus persons and recording their statements before the revenue authority. Thereafter, accused No. 2- Subhash Pawar executed sale deed of the said land in favour of applicant. Accusation made against applicant is that he was knowing that the trustees had died and he got executed sale deed in conspiracy with accused No. 2.

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

4. The only allegation against applicant appears to be that he has purchased trust's property, which is sold by trustees on the basis of forged general power of attorney. Except that there is no material collected during the investigation showing involvement of applicant in the alleged crime. Offence is registered on 04.02.2020 and till date charge sheet is not filed. 24 persons are made accused in the FIR and out of them accused No. 2, 6 and 14 were arrested and they are released on bail. Rest of the accused are granted anticipatory bail either by Trial Court or by this Court. Offence pertains to documents, which are already seized by investigating officer. Nothing is to be

recovered from applicant, hence, pre-trial custodial detention of applicant is not necessary.

5. In the result, application is allowed by confirming interim protection granted to applicant by order dated 21st December, 2023.

6. Till filing of charge sheet, applicant shall attend the concerned police station as and when called by investigating officer and shall co-operate in the investigation. Applicant shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI, J.]