

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.2210 OF 2023

Archana Sudhir Patil

... Applicant

V/s.

State of Maharashtra and anr.

... Respondents

Mr. Anand S. Patil, Advocate for the Applicant.

Mr. Manoj A. Patil, Advocate for the Respondent No.2.

Mr. A. A. Naik, APP for the Respondent No.1/State.

Mr. A. B. Patil, PN, Juna Rajwada Police Station, Kolhapur is present.

CORAM : N. J. JAMADAR, J.

DATE : 15th OCTOBER, 2024.

P.C.:-

1. Heard the learned counsel for the applicant and the learned APP for the State.

2. By an order dated 24th August, 2023, interim pre-arrest bail was granted observing, *inter-alia*, as under :

“12. Evidently, on 16th December, 2010 the applicant had issued a public notice inviting objections as a part of title search. The applicant is shown to have identified the executants to the allegedly fabricated Sale Deed. The applicant was also a witness to the Special Power of Attorney executed by Seema in favour of her son. It is not the law that once the Power of Attorney is executed, the executant is denuded of the power unless the Power of Attorney is shown to be for consideration.

13. In the case at hand the crux of the matter is, the alleged execution of the Power of Attorney in favour of Seema Joshi. No role seems to have been attributed to

the applicant in that regard. The applicant is a woman and practicing advocate. The investigation would unearth the characters who had played a role in the alleged offences.

14. In the circumstances, I deem it appropriate to exercise the discretion in favour of the applicant while directing her to cooperate with the investigation and appear before the investigating officer to facilitate further investigation.”

3. The learned APP, on instructions, submits that the investigation is complete and charge-sheet has been lodged. In view of the aforesaid development and having regard to the reasons, which weighed with this Court in granting the interim pre-arrest bail, the interim order deserves to be made absolute. Hence the following order :-

ORDER

(i) The order of interim bail dated 24th August, 2023 is made absolute on the terms and conditions incorporated herein.

(ii) In addition, the applicant shall regularly attend the proceedings before the jurisdictional Court.

4. Application is disposed of.

(N. J. JAMADAR, J.)

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