

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.704 OF 2024

Vilas Vasantryao Ambekar and Anr.	...Applicants
vs.	
The State of Maharashtra	...Respondent

VISHAL
SUBHASH
PAREKAR

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VISHAL SUBHASH
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Mr. Manoj Mohite, Senior Advocate i/b. Mr. Ashwin Kapadnis, for the Applicant.
Mr. Prashant Jadhav, APP for the State.
Mr. P.R. Umap, ASI, Satara police station.

CORAM : N. J. JAMADAR, J.
DATE : APRIL 10, 2024

P.C.:

1. Heard the learned counsel for the parties.
2. By an order dated 13th March, 2024 this Court had granted interim bail opining, inter alia, as under:-

6] I have perused the material on record. The legality of the Sale Deed executed in favour of the applicant Nos. 2 and 3 can be assailed on the ground that there was a bar for purchasing agricultural land by the applicants as they were not agriculturist. The claim of applicant Nos. 2 and 3 that they were the agriculturist requires adjudication. At this stage, the prosecution case rests on the documents which are already in the custody of the investigating agency/revenue department. In the circumstances, the custodial interrogation of the applicants does not seem eminently warranted.

7] I am, therefore inclined to protect the liberty of the applicants while directing them to join in the investigation.

3. The learned counsel for the applicant, on instruction, submits

that the applicants have appeared before the investigating officer and cooperated with the investigation.

4. Learned APP concurs.

5. For the reasons which weighed with this Court in granting the interim bail and the fact that the applicants have cooperated with the investigation, further custodial interrogation of the applicant does not seem to be warranted. Therefore, I am impelled to make the order of interim bail absolute.

6. The order of interim bail dated 13th March, 2024 is made absolute on the terms and conditions incorporated therein.

7. In the event charge sheet is filed, the applicant shall regularly attend the proceedings before the jurisdictional Court.

8. It is clarified that these prima facie observations are confined to determine entitlement to pre-arrest bail only.

(N. J. JAMADAR, J.)