

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

REVISION APPLICATION NO. 107 OF 2023

Mr Yunus Razzak Shaikh ...Applicant
 vs.
 The State of Maharashtra and Anr. ...Respondents

None for the Applicant	
Mr. Amin Solkar, Spl. PP for the State a/w Umang Shah and Junaid Thange	for the Respondent-State

**ALONGWITH
REVISION APPLICATION NO. 66 OF 2023**

Irfan Husain Miyan Qazi ...Applicant
 vs.
 The State of Maharashtra and Anr. ...Respondents

Mr. Majeed Memon a/w Mr. Mateen Qureshi and Mr. Khalil Girkar i/by Mr. Krishan Chaudhari	Advocate for the Applicant
Mr. Amin Solkar, Spl. PP for the State a/w Umang Shah and Junaid Thange	for the Respondent-State

**ALONGWITH
REVISION APPLICATION NO. 144 OF 2024**

Bahubali Tatyaso Dhamane ...Applicant

vs.
The State of Maharashtra and Anr.

...Respondents

Mr. Sultan Khan a/w Mr. Bhavesh Ameta i/by Mr. S. M. M. Owais T. Jahagirdar	Advocate for the Applicant
Mr. Amin Solkar, Spl. PP for the State a/w Umang Shah and Junaid Thange	for the Respondent-State

CORAM : S. M. MODAK, J.

DATE : 28th MARCH 2024

P. C. :-

1. Heard remaining arguments advanced by learned Spl. PP Shri Solkar in all these revision applications. He has taken me through the following documents:-

- a) The receipts on page no. 5 to page no. 12, the majority of them signed by the Applicant-Yunus Shaikh on behalf of Kohinoor Developer. It pertains to receipts of the consideration from flat purchasers.
- b) Statements of the witnesses annexed on page no. 13 to page no. 36.

c) To show the involvement of the Applicant-Bahubali Tatyaso Dhamane, he invited my attention to the following documents:-

(i) page no. 11 of additional documents- A copy of the structural stability and completion certificate addressed to the Chief Officer, Mahad Municipal Council, on behalf of the Applicant-Dhamane on one hand and other correspondence made by the Applicant-Dhamane from page no. 30 to page no. 40.

(ii) The documents on page nos. 30 to 40 are produced to show that the Applicant-Dhamane used to put different signatures however the rubber stamp and the seal of Shravani Consultants is same on these papers.

(iii) Two remand reports seeking the custody of the Applicant-Dhamane for the purpose of recovery of the plans. However, he has not co-operated.

(iv) Lastly, he submitted that there are sufficient materials against all these Applicants and detailed inquiry cannot be expected at this stage and prayed for

dismissal for all these revision applications.

2. Learned Advocate representing Applicant-Irfan Husain Miyan Qazi in Revision Application No. 66 Of 2023 gave following reply:-

- a) The statement of the witness Asrar Habib Pathan, at page nos. 30 and 32 of the witness. It does not suggest that his client shared any profit. The Applicant-Farooque used to pay him salary and used to obtain signatures on the blank paper.
- b) Even the statement of the witness-Shivpal Yadav only suggests that his client-Irfan was only supervising except that no role is assigned by witness-Shivpal.

3. Learned Advocate for the Applicant-Bahubali also seeks time to give reply.

4. Whereas no one is present for the Applicant-Yunus in Revision Application No. 107 of 2023.

5. All these three matters be kept on **02/04/2024**.

[S. M. MODAK, J.]