

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

ANTICIPATORY BAIL APPLICATION NO.328 OF 2024

Irfan Yusuf Hafizi	Applicant
Versus	
The State of Maharashtra	 Respondent

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WITH

ANTICIPATORY BAIL APPLICATION NO.329 OF 2024

Iqbal Valli Hafizi	Applicant
Versus	
The State of Maharashtra	 Respondent

Mr. Hrishikesh Mundargi, Advocate i/b. Abhilesh Chitre a/w. Sonali Dalvi, for the Applicants.

Smt. M.H. Mhatre, APP for the Respondent-State.

Mr. Vivek B. Pandey, Advocate a/w. Shyam Tripathi for the intervenor in both ABAs.

CORAM : SARANG V. KOTWAL, J.

DATE : 05th FEBRUARY, 2024

PC. :

1. In both these Applications, today I am passing common order because they arise out of the same registered offence.

2. The Applicants are seeking anticipatory bail in connection with C.R. No.899/2023 registered with Oshiwara

Police Station, Mumbai on 2.10.2023 under Sections 120-B, 406, 420, 504, 506 read with 34 of IPC and under Sections 3 read with 13 of the Maharashtra Ownership of Flats Act, 1963.

3. Heard Shri Hrishikesh Mundargi, learned counsel for the Applicants, Smt. M.H. Mhatre, learned APP for the Respondent-State and Mr. Vivek Pandey, learned counsel for the intervenor in both ABAs.

4. Learned counsel for the first informant seeks time so that he can file intervention application.

5. Learned counsel for the Applicants states that he will take instructions from the Applicants as to whether it is possible to transfer a flat in favour of the first informant in the vicinity of the flat which is the subject matter of this FIR. He seeks a week's time to take instructions and seeks protection only till the next date.

6. The FIR is about the informant paying Rs.72,50,000/- for a flat in the building Khatija Hi-Tech Tower for an area of 1030 sq. ft. and not getting it subsequently.

7. Considering the submissions made by both learned counsel before me today, the matters can be adjourned by a week with ad-interim protection to the Applicants till the next date.

8. Hence, the following order:

ORDER

- (i) In the event of their arrest in connection with C.R. No.899/2023 registered with Oshiwara Police Station, Mumbai, till the next date, the Applicants be released on bail on their executing P.R. bonds in the sum of Rs.30,000/- each (Rupees Thirty Thousand Only) with one or two sureties each in the like amount.
- (ii) This order shall operate till 12.2.2024.
- (iii) Stand over to 12.2.2024.
- (iv) The parties are at liberty to mention the matter on that date by giving notice to each other.

(SARANG V. KOTWAL, J.)