

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

ANTICIPATORY BAIL APPLICATION NO.330 OF 2024

Popatrao Ramchandra HagwaneApplicant
Versus
State of Maharashtra Respondent

Mr. Tushar Sonawane, Advocate for the Applicant.
Ms. Mahalakshmi Ganapathy, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 05th FEBRUARY, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.615/2023 registered with Nashik Road Police Station, Nashik City on 24.12.2023 under Sections 419, 420, 466, 468, 471 of IPC and under section 82 of the Registration Act.

2. Heard Mr. Tushar Sonawane, learned counsel for the Applicant and Ms. Mahalakshmi Ganapathy, learned APP for the Respondent-State.

3. The FIR is lodged by one Meena Minocha. Her husband had a plot at Survey No.18/28 admeasuring 3.16 Ares. The plot was in the name of the informant's husband Jyotindra Minocha. He had passed away in the year 2007. Subsequently

somebody else impersonated him and executed an agreement for sale on 16.4.2015. It was registered on the same day. Subsequently, a development agreement was also prepared in the year 2017. Thus, the informant was cheated and the offenders obtained unlawful gain for themselves. The allegations against the Applicant are that he had signed on the agreement for sale and the power of attorney as one of the witnesses though it was executed purportedly by Jyotindra who was already dead by then.

4. Learned counsel for the Applicant submitted that the Applicant had merely signed at the time of execution of the documents. He has not identified the parties. He was not concerned with the identification of the parties either at the time of execution or registration of the document.

5. Learned counsel submitted that the Applicant is 68 years of age. The alleged offence is of the year 2015. He is not a beneficiary.

6. Learned APP submitted that the investigation is in progress and as of today the investigating agency has not found any material to show that the Applicant is the beneficiary in the offence.

7. Considering this situation, the Applicant can be protected by way of ad-interim relief for the time being. He can be directed to cooperate with the investigation.

8. Hence, the following order:

ORDER

- (i) In the event of his arrest in connection with C.R.No.615/2023 registered with Nashik Road Police Station, Nashik City, till the next date, the Applicant be released on bail on his executing a P.R. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) This order shall operate till 19.3.2024.
- (iii) The Applicant shall attend the concerned Police Station from 20.2.2024 23.2.2024 between 1:00 p.m. to 5:00 p.m. and thereafter as and when called. He shall cooperate with the investigation.
- (iv) Stand over to 19.3.2024.

(SARANG V. KOTWAL, J.)