

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1966 OF 2024**

Bhagwat Vishwanath Chaudhari	...	Applicant
vs.		
The State of Maharashtra	...	Respondent

Mr. Ashutosh Kulkarni a/w. Ms. Vrushali Maindad and Mr. Shaheen Kapadia for applicant.

Mr. Tanveer G. Khan, APP for respondent-State.

Mr. Sachin Thombre for complainant (through video-conferencing).

**CORAM : MANISH PITALE, J.
DATE : 11th OCTOBER, 2024**

P.C. :

1. During the course of hearing, the learned APP tendered a compilation of documents. The same is taken on record. It was emphasized that the subject transaction in the present case, which has given rise to offences against the applicant i.e. the sale deed dated 18.05.2018, shows that one of the vendors i.e. Mrunalini @ Mrunalkanti Nagendranath Datta was shown as a woman, while the statement of the other vendor i.e. Ashishkumar Jitendranath Kar recorded during the course of investigation, shows that according to him, Mrunalkanti Nagendranath Datta is a male, who is his friend and that he is not aware about the said person.

2. One of the submissions made by the learned counsel for the applicant is that the consideration in the said document is shown to be ₹ 40 lakhs paid by way of various cheques, details of which have been incorporated in the said sale deed itself. According to the investigating authority, it is found that

only an amount of ₹ 5 lakhs was actually transferred into the accounts of the vendors.

3. In this regard, the learned counsel for the applicant submitted that the photocopies of the cheques concerning the payment of consideration of ₹ 40 lakhs, have been placed alongwith the application at page Nos.89-90. It is submitted that the said cheques have been issued by one Balaji Construction, which is a proprietary concern of the applicant itself. It is submitted that the investigating authority never enquired about the encashment of the said cheques. In that light, it is submitted that the applicant will produce the account statement of the said Balaji Construction of which the applicant is the proprietor, to show that the aforementioned cheques were indeed encashed, thereby indicating that the allegations made against the applicant are not justified.

4. The applicant shall appear before the investigating officer on 16.10.2024 and produce account statement of the said Balaji Construction, in order to satisfy the investigating officer as to whether the aforementioned cheques were encashed.

5. List the application for further consideration on 19.11.2024, High on Board.

6. The interim order shall continue to operate till then.

(MANISH PITALE, J)