



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Criminal Application (ABA) No. 445 of 2024

Mohd. Jameel S/o Mohd Ismail Ansari

Versus

The State of Maharashtra Police Station Officer, Police Station Wathoda,
Nagpur

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri P.S.Jaiswal, Advocate for the applicant.

Ms. T.H.Udeshi, APP for the non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 6th AUGUST, 2024.

By preferring this application, the applicant is seeking pre-arrest bail in connection with Crime No. 250 of 2024 registered at Wathoda Police Station, Nagpur for the offence punishable under Sections 419, 420, 468, 471 read with Section 34 of the Indian Penal Code

2. Learned counsel for the applicant submitted that after the applicant is released on ad-interim anticipatory bail has co-operated with the investigating agency. As far as the allegation is concerned, on the basis of the report lodged by Ravikant Bhaskar Gadekar, alleging that his father Bhaskar has purchased a plot no.

211 situated at Dighori from Mohd. Asgar Bhai and Sheikh Gulbhahar and it was recorded in the name of informant's father then his father died on 5th March, 2022. Thereafter, informant made enquiry and it revealed to him that the co-accused Ajay Sharma has executed a sale-deed of plot No. 211 on 31st October 2023 in his name by representing himself as owner of the said plot. Thus, there is a cheating by personation. He submitted that as far as the present applicant is concerned, his name is not mentioned in the First Information Report. He neither stood as a witness nor any other role is attributed to him. In view of that he be protected by granting anticipatory bail.

3. On the other hand, learned Additional Public Prosecutor strongly opposed the application on the ground that the involvement of the present applicant reveals from the investigation paper and in view of that the application deserves to be rejected.

4. After hearing learned counsel for the applicant and learned Additional Public Prosecutor for the State, the name of the present applicant is not mentioned in the present First Information Report. The role attributed to the present applicant is on the basis of the statement of the co-accused. Even accepting the allegations as it is, the custodial interrogation of the present applicant is not required. In view of that interim protection granted to the present applicant deserves to

be confirmed. Accordingly, I proceed to pass the following order.

- (i) Interim protection granted to the present applicant Mohd. Jameel S/o Mohd Ismail Ansari in connection with Crime No. 250 of 2024 registered at Wathoda Police Station, Nagpur for the offence punishable under Sections 419, 420, 468, 471 read with Section 34 of the Indian Penal Code is hereby confirmed on the similar conditions which are imposed by this Court while passing order 26th June, 2024.
- (ii) The applicant shall attend the concerned police station as directed till filing of the charge-sheet.
- (iii) The criminal application is disposed of.

[URMILA JOSHI-PHALKE, J.]