



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

937 ANTICIPATORY BAIL APPLICATION NO. 777 OF 2024

BALAJI DATTARAM MANURKAR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Advocate for Applicants : Mr. G.G. Kadam a/w. Amit Tandulkar
APP for Respondents 1 & 2 : Ms. Neha B. Kamble

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CORAM : ARUN R. PEDNEKER, J.

Dated : January 31, 2025

PER COURT :-

1. Heard the learned counsel for the applicants and the learned APP for the respondents-State.
2. The applicants are apprehending arrest in connection with Crime No. 250/2023 dated 5.9.2023 registered with Umri Police Station, District Nanded for the offences punishable under sections 420, 467, 468, 471 r/w. 34 of I.P.C.
3. This Court by order dated 16.1.2025 has granted interim protection to the applicant No. 2 for the reasons stated in para Nos. 5 and 6 of that order, which reads as under :-

5] Prima facie, the allegation is that applicant no.1 made a registered sale deed of a property in favour of the complainant. Notwithstanding the sale deed, he mortgaged very same property to the Bank without pointing out that the property is already sold. Applicant no.2 is the co-borrower, who is the wife of applicant no.1.

6] Prima facie, it appears that applicant no.1 has made the sale deed to the informant, so also, subsequently has executed mortgage deed of the same property to the Bank. Applicant no.2, prima facie, merely may have signed on the documents at the instance of applicant no.1. The role of applicant no.2 is not same as that of applicant no.1.

Considering that applicant no.2 is lady, so also, the role is distinct from applicant no.1, the interim protection can be granted to applicant no.2.”

4. The learned counsel for the applicant submits that in pursuance of the order dated 16.1.2025, the applicant No. 2 has attended the police station on 20.1.2025 and 21.1.2025.

5. Considering the same, the application of applicant No. 2 is allowed and the interim protection granted in her favour on 16.1.2025 is confirmed on the following terms :

i] The applicant No. 2 shall attend the police station as and when required.

ii] The applicant No. 2 shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

iii] The applicant No. 2 shall co-operate with the investigation and also in the proceedings before the trial Court.

6. In the event, the applicant No. 2 violates any of the conditions specified in this order, it shall be liable to be cancelled.

7. It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

8. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

ssc/