

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.3862 OF 2024

Prashant Bhaskar Mhatre ... Applicant

Vs.

State of Maharashtra ... Respondent

WITH
CRIMINAL APPLICATION NO.4503 OF 2024
IN
BAIL APPLICATION NO.3862 OF 2024
AND
BAIL APPLICATION NO.4730 OF 2024

Rajni @ Rajnikant Prakash Mhatre ... Applicant

Vs.

State of Maharashtra ... Respondent

Mr. Vinod Kashid a/w. Mr. Sumit Bhoite and Mr. Abdul Shaikh for Applicant in BA/3862/2024.

Mr. Ganesh K. Gole a/w. Mr. Aarif Ali M. Ali for Applicant in BA/4730/2024.

Mr. D. N. Salvi, Special Public Prosecutor a/w. Mr. A. A. Naik, APP, Dr. Ashvini Takalkar, APP a/w. Mr. Sahil D. Salvi, Mr. Sagar Redkar and Mr. Aditya Kothur for Respondent-State in both the Applications.

Mr. Satish Mane Shinde, Senior Advocate a/w. Mr. Yuvraj Dhole for Applicant / Intervenor in IA/4503/2024.

CORAM : MANISH PITALE, J.
DATE : FEBRUARY 07, 2025

P.C. :

. These two bail applications concern FIR No.I-61 of 2017 dated 15.02.2017 registered at Police Station Narpoli Bhiwandi, District - Thane for offences under Sections 302, 143, 146, 147, 148 and 149 read with Section 120-B of the Indian Penal Code, 1860 (IPC); Sections 3, 25(1B)(a), 27(2), 4 and 27 of the Arms Act, 1959; Sections 37(1) and 135 of the Maharashtra Police Act, 1951 and Sections 3(1)(i)(ii), 3(2)

and 3(4) of the Maharashtra Control of Organized Crime Act, 1999 (MCOC Act).

2. In Bail Application No.3862 of 2024, the applicant - Prashant Bhaskar Mhatre is accused No.10, who is also allegedly the gang-leader in this case, in the context of offences registered under the MCOC Act. In Bail Application No.4730 of 2024, the applicant - Rajni @ Rajnikant Prakash Mhatre is accused No.13. Accused No.10 was arrested on 28.03.2017 and applicant No.13 was arrested on 29.03.2017. Both have remained incarcerated since the date of their respective arrests, thereby showing that they have suffered incarceration for a period of almost eight years.

3. By order dated 04.09.2024, this Court had granted bail to four co-accused persons i.e. Vishu @ Vishwapal Balram Patil, Viddhesh Sudam Patil, Sujit @ Bandyal Balaram Mhatre and Chiranjiv @ Motu Balaram Mhatre, upon imposing appropriate conditions. The applicants, in the present case, are seeking bail on parity as well as on the basis of submissions made on their behalf in the instant two applications.

4. The incident, in the present case, took place on 14.02.2017 and the FIR was registered on 15.02.2017. The first informant was the driver of the victim. It was stated that when the victim got down from his car and when the first informant - driver was parking the car, the accused persons brutally assaulted the victim by means of firearm as well as sickles and choppers, grievously injuring him at the spot of the incident. It is alleged that after the assault, the accused persons fled away from the spot of the incident and some of them escaped in a *Swift* car, waiting outside to help them escape from the spot of the incident. The first informant alleged that the applicant - accused No.10 was the main person behind the assault as he had a long standing enmity against the victim. It was stated that the victim was a Corporator from a particular

political party for a long period of time, while the accused No.10, being the cousin of the victim, was his political rival.

5. The police investigated into the matter, arrested the accused persons on various dates and filed charge-sheet. The charge could be framed only on 31.01.2024 and thereafter till date, the prosecution has examined 14 witnesses, while it intends to examine total of about 75 witnesses to prove its case.

6. The learned counsel appearing for the two applicants before this Court made submissions relevant to the material placed against them by the investigating authority in the charge-sheet. But, on the aspect of long incarceration suffered by both the applicants, common submissions were made and in that context, reliance was placed on behalf of both the applicants on the aforementioned order dated 04.09.2024, whereby the aforesaid four accused persons were granted bail by this Court. The two applications are being dealt with separately, one after the other, in this common order.

BAIL APPLICATION NO.3862 OF 2024

(Applicant Accused No.10 - Prashant Bhaskar Mhatre)

7. Mr. Vinod Kashid, learned counsel appearing for the applicant - accused No.10 submitted that although an earlier bail application on behalf of the applicant was disposed of as withdrawn on 16.04.2024, in the said order passed by this Court (Coram : M. S. Karnik, J.), there was no discussion on merits of the matter. It was submitted that in any case, thereafter, this Court passed the aforementioned order dated 04.09.2024, granting bail to the four co-accused persons and in the light of the said change in circumstance, the said applicant has approached this Court seeking bail.

8. It was submitted that although it is claimed that the said applicant accused No.10 is the main conspirator and the gang-leader in the present case, the material on record does not support the aforesaid assertion of the prosecution. It is submitted that the first informant in his statement leading to registration of the FIR, on 15.02.2017, attributed specific role to the accused persons including the aforesaid applicant. But, in the supplementary statement recorded on 21.02.2017, the version changed and the presence, role and the weapons attributed to the specific accused persons as per the earlier statement underwent change and this itself raises serious doubt about the authenticity of the version of the first informant. It was submitted that the statements of the first informant and those of the other witnesses, in a sense, do not match up and this creates doubt about the prosecution version. Reference was also made to the manner in which, the gun and sickle were recovered allegedly at the behest of the applicant. It was emphasized that the recovery was allegedly made on 31.03.2017, which was 1 ½ months after the incident.

9. The learned counsel for the said applicant relied upon recent orders of the Supreme Court passed in the cases of *Shriram Keshav Bhagat Vs. State of Maharashtra* [order dated **05.11.2024** in **Special Leave to Appeal (Crl.) No.11839 of 2024**]; *Paras Ram Vishnoi Vs. Director, Central Bureau of Investigation* (order dated **27.07.2023** in **Criminal Appeal No.693 of 2021**); and *Sheikh Javed Iqbal @ Ashfaq Ansari @ Javed Ansari Vs. State of Uttar Pradesh* (judgement and order dated **18.07.2024** in **Criminal Appeal No.2790 of 2024**), to contend that that in such cases where the accused person has suffered long incarceration and there is hardly any possibility of the trial being completed within reasonable period of time, this Court, as a Constitutional Court, ought to exercise its power to enlarge the applicant accused on bail.

10. As regards the chart of criminal antecedents of the applicant stated in the reply affidavit filed on behalf of the State, it was submitted that in 13 out of 16 cases, the applicant was acquitted and therefore, existence of criminal antecedents, in itself, ought not to be a factor held against the applicant and that in any case, this Court, as a Constitutional Court, ought to exercise power to release the applicant on bail, particularly when this was one of the grounds on which four co-accused persons were granted bail by this Court by the aforesaid order dated 04.09.2024.

11. Mr. Salvi, learned Special Public Prosecutor (SPP) appearing on behalf of the respondent State submitted that the aforesaid applicant accused No.10 was the main person, who hatched the conspiracy to eliminate his own cousin i.e. a victim in such a brutal manner. It was brought to the notice of this Court that even earlier, in the year 2013, the said applicant along with other persons had assaulted the victim in the backdrop of political rivalry between the two. At the outset, it was submitted that there was no question of parity between the said applicant and the four accused persons, who were granted bail by this Court by the earlier order dated 04.09.2024, for the reason that the specific role of the applicant ought to be appreciated by this Court and it was clear that his role is distinguishable from that of the co-accused persons, who were granted bail. In this regard, reliance was placed on the judgement of the Supreme Court in the case of *Tarun Kumar Vs. Assistant Director, Directorate of Enforcement*, **AIR 2024 SC 169**.

12. It was further submitted that the victim, while he was being taken to the hospital by his wife and daughter as well as the first informant, specifically took the name of the applicant as the main conspirator behind the assault. It was further emphasized that confessional statement of the applicant as well as the other accused persons brought out the

manner in which the conspiracy was hatched by the said applicant. It was submitted that all the other accused persons, in their confessional statements, had described the manner in which the applicant herein had promised payment of Rs.50 lakhs, apart from taking care of the legal expenses of the said accused persons. Emphasis was placed on Section 18 of the MCOC Act, to contend that confessional statements are admissible during trial, and therefore, such material cannot be ignored even when considering the question of bail. Reliance was placed on the judgement of the Supreme court in the case of *Jameel Ahmed Vs. State of Rajasthan*, (2003) 9 SCC 673, to contend that an acceptable confession of a co-accused person can be used as a corroborative piece of evidence. It was submitted that in the said case, the Supreme Court was dealing with a *pari materia* provision under the Terrorist and Disruptive Activities (Prevention) Act, 1987 (TADA Act).

13. On the aspect of alleged delay in trial, it was submitted that the delay was attributable to the accused persons, who had filed various proceedings before the concerned Court, thereby derailing the trial. It was submitted that now that the trial had commenced and 14 witnesses had already been examined, this Court may not give any benefit to the applicant on the aspect of long incarceration. It was submitted that in the case of *X Vs. State of Rajasthan* [order dated 27.11.2024 passed in **Special Leave Petition (Criminal) No.13378 of 2024**], the Supreme Court had observed that once the trial commences and the prosecution starts examining witnesses in cases involving serious offences like rape, murder, dacoity etc., ordinarily, the High Court should be loath in entertaining bail applications of the accused persons. In this regard, reliance was also placed on judgements of the Supreme Court in the case of *Rajesh Ranjan Yadav Vs. CBI through its Director*, (2007) 1 SCC 70 and *Ranjan Dwivedi Vs. CBI, through the Director General*, (2012) 8 SCC 495.

14. Apart from this, the learned SPP submitted that the said applicant accused No.10 has serious criminal antecedents. Even though he has been acquitted in 13 out of 16 cases registered against him, he has been acquitted either because of compromise between the parties or because the witnesses turning hostile. It was submitted that even in the present case, out of the 14 witnesses examined by the prosecution, 10 witnesses have turned hostile, thereby showing that the said applicant is able to spread his reign of terror even while sitting in jail. If he is released, it would make matters worst for the witnesses. Attention of this Court was specifically invited to FIR No.II 124 of 2017 dated 11.09.2017 registered at Shantinagar Police Station, District - Thane, wherein the widow of the victim is the first informant. She has specifically stated that the applicant accused No.10 threatened her outside the court room during the course of proceedings, concerning the present case itself. It is submitted that charge-sheet is also filed in the said case, thereby showing that the applicant accused No.10 has made all efforts to influence the key witnesses concerning the instant case. On this basis, the learned SPP submitted that the present application deserved to be dismissed.

15. This Court has considered the rival submissions. The record shows that this is the second bail application filed by the applicant accused No.10. The earlier bail application was withdrawn on 16.04.2024. Although the said order does not show any discussion on merits, the order shows that the said application was withdrawn on the instructions of the applicant's brother, who was personally present in the Court. The impression gathered by this Court is that perhaps on the said date, this Court was not inclined to grant bail and in that backdrop, the application was withdrawn. But, since this Court, specifically by an order dated 04.09.2024, did grant bail to four co-accused persons, the submissions on merits made on behalf of the said applicant accused No.10 have been considered.

16. A perusal of the statement of the informant, that led to registration of the FIR, and his supplementary statement recorded after six days shows that in both the statements, the informant specifically named the said applicant as one of the assailants. In both the statements, the informant has stated that the said applicant assaulted the victim by means of a sickle. Even though the informant appears to have attributed different roles to the other accused persons in the two statements, insofar as the applicant - accused No.10 is concerned, there is consistency in the role attributed to him.

17. The wife of the victim reached the spot of the incident along with her daughter after the assault had taken place and the accused persons had fled away. This Court is of the opinion that apart from the statement of the first informant *prima facie* establishing the presence of the said applicant at the spot of the incident and attributing specific overt act along with use of weapon against the victim, the confessional statements of all the accused persons do indicate that the said applicant could be said to be the main conspirator in the present case. This has to be seen in conjunction with the specific statement of the first informant on 15.02.2017 itself that the said applicant, being the cousin of the victim, had a long standing political rivalry with him and that even on an earlier occasion, the said applicant along with others had assaulted the victim in the year 2013. He was being prosecuted for the said assault also. This aspect is reflected in the confessional statements of the co-accused persons and even in the confessional statement of the applicant himself. In fact, co-accused persons have stated that this applicant had promised amount of Rs.50 lakhs and also promised to take care of legal expenses of the co-accused persons in order to allure them to join him in carrying out the assault on the victim. Under Section 18 of the MCOCA Act, such confessional statements are admissible at the stage of trial, and therefore, they can certainly be taken into consideration at the stage of considering

the bail application. This Court finds that at this stage, the confessional statements of the co-accused persons cannot be brushed aside and they appear to *prima facie* show the said applicant as the main conspirator in the present case. In that regard, the learned SPP is justified in relying upon the judgement of the Supreme Court in the case of **Jameel Ahmed Vs. State of Rajasthan** (*supra*), wherein it is laid down that an acceptable confession of a co-accused can be used as a corroborative piece of evidence in a trial under the TADA Act. It is to be noted that Section 18 of the MCOC Act is similar or *pari materia* to the corresponding provision i.e. Section 15 of the TADA Act. Therefore, there appears to be *prima facie* material against the applicant for the prosecution to claim that he was the main conspirator in the present case.

18. The material on record also shows that weapons i.e. a revolver and a sickle were recovered from the office of the said applicant at his behest on 31.03.2017. This Court does not find any substance in the contention raised on behalf of the applicant that, while the incident took place on 14.02.2017, the recovery was made more than 1 ½ months later i.e. on 31.01.20217, for the reason that the said applicant could be arrested only on 28.03.2017.

19. Apart from this, the aspect of criminal antecedents of the said applicant cannot be ignored. The reply of the respondent State shows that the applicant has 16 criminal antecedents. Although he appears to have been acquitted in 13 cases, it is brought to the notice of this Court that in most cases, the witnesses had turned hostile. In this regard, the learned SPP brought to the notice of this Court a crucial factor to the effect that even in the present case, out of the 14 witnesses examined by the prosecution, 10 have already turned hostile. This aspect becomes even more significant in the backdrop of the FIR dated 11.09.2017, registered at the behest of the wife of the victim, wherein charge-sheet

has been filed. In the said case, the wife of the victim raised a grievance that this applicant threatened her and her daughter outside the court room when proceedings in relation to this very case were to be taken up in the court. This does indicate the propensity on the part of the applicant to threaten the witnesses so that they turn hostile and eventually the prosecution case is derailed. It is a matter of concern that the wife and daughter of the victim, who are crucial witnesses, were sought to be influenced in this manner by the said applicant.

20. In this backdrop, the aspect of long incarceration and the trial still remaining pending in the context of the said applicant may not assume much significance. This Court is of the opinion that the aforesaid aspect cannot overshadow the tendency of this applicant of indulging in repeated crimes and also making specific attempts to influence key witnesses so that the prosecution case gets derailed. As noted hereinabove, the material on record does make out a *prima facie* case against the applicant as being the main conspirator, who motivated the other accused persons to join him, in order to launch a brutal assault on the victim, which resulted in his death. Therefore, this Court does not find any merit in the application filed by the applicant - accused No.10 and accordingly, it is dismissed.

BAIL APPLICATION NO.4730 OF 2024

(Applicant Accused No.13 - Rajni @ Rajnikant Prakash Mhatre)

21. Mr. Gole, learned counsel appearing for the applicant - accused No.13 submitted that in the present case, the material on record shows glaring contradictions and the very presence of the said applicant, as also the role attributed to him are put in serious doubt because of such contradictions. It was submitted that the first informant in his statement, that led to registration of the FIR, did not even name the applicant as one

of the assailants present at the date and time of the incident. It was only in the supplementary statement, recorded after six days i.e. on 21.02.2017, that the name of the applicant featured for the first time. In this statement also the only role attributed to the applicant was that he was seen standing on the road outside the place of the incident armed with a chopper. Therefore, no overt act was attributed to the applicant even in the supplementary statement of the informant. The informant also saw the CCTV footage, but only named co-accused Kunal Mhatre as the person, who fired on the victim and thereupon stated that he would be able to identify those persons seen in the CCTV footage. It was further submitted that in the statement of the informant recorded under Section 164 of the Code of Criminal Procedure, 1973 (Cr.P.C.) before the Magistrate, the said applicant's name was not taken at all. In that light, it was submitted that the wife of the victim, in her supplementary statement recorded on 28.04.2017, claiming that the applicant could be seen as one of the assailants in the CCTV footage, cannot be of much relevance. It was submitted that in any case, these are glaring contradictions that cannot be ignored.

22. Reference was also made to the statement of one of the witnesses dated 03.05.2017, wherein it was stated that, on the date and time of the incident, the said applicant was seen outside the apartments where the incident took place. Apart from this, the learned counsel for the applicant relied upon the reply affidavit filed on behalf of the State, wherein portion of the evidence of P.W.9 was quoted. The said witness recognized three other accused persons present in Court and while identifying the said applicant - accused No.13, he stated that the said person was standing near vehicles, thereby further indicating that no overt act or use of weapon could be attributed to the applicant.

23. The learned counsel for the said applicant also criticized the

purported recovery of weapon at the best of the applicant. It was submitted that the recovery was admittedly made from an open place and hence, it was rendered doubtful.

24. As regards the criminal antecedents, it was submitted that out of the three antecedents stated in the reply of the respondent State, in one case, the said applicant was acquitted and the others pertained to minor offences. Therefore, the same cannot be a factor to deny bail to the applicant. The learned counsel for the applicant then relied upon the judgements of the Supreme Court in the case of *Union of India Vs. K. A. Najeeb*, (2021) 3 SCC 713 and *Siddhant @ Sidharth Balu Taktode Vs. State of Maharashtra*, 2024 SCC OnLine SC 3798, to claim that since the applicant has suffered incarceration for about eight years and the trial is still languishing, this Court may consider exercising power as a Constitutional court to grant relief to the applicant as was granted to the four co-accused persons by the aforementioned order dated 04.09.2024.

25. On the other hand, the learned SPP vehemently opposed the present application. It was submitted that the wife of the victim, after watching the CCTV footage, categorically stated that the said applicant accused No.13 was one of the assailants, and therefore, his presence as well as the overt act by using a weapon are *prima facie* established. It was submitted that since recovery of weapon was also made at the behest of the said applicant, the contentions raised on behalf of the said applicant deserve to be rejected. It was further submitted that the contentions regarding long incarceration and delay in trial could be answered by the contentions raised in the context of the application of the applicant - accused No.10.

26. This Court has considered the rival submissions in the backdrop of the material on record. Having perused the statement of the informant leading to registration of the FIR, his supplementary statement and his

statement recorded under Section 164 of the Cr.P.C. before the Magistrate, this Court finds that *prima facie* there are inconsistencies in the said statements. In the statement leading to registration of the FIR, the informant did not name the applicant at all. In the supplementary statement recorded after six days, the informant claimed that the applicant was standing at some distance on the road outside the apartment complex where the incident took place. Thus, in this statement also, there is no role attributed to the applicant of having assaulted the victim on the date and time of the incident. In the statement of the informant recorded under Section 164 of the Cr.P.C., there is absolutely no reference to the applicant. Neither is the applicant's presence mentioned nor is any overt act attributed to him in the aforesaid statement. There is substance in the contention raised on behalf of the applicant that this does give rise to inconsistencies and can raise a doubt about the very presence of the applicant on the date and time of the incident. The statement of one of the witnesses recorded on 03.05.2017 also shows that according to him, the applicant was present outside the apartment complex when the incident took place, again indicating that there is no allegation of any overt act, much less use of any weapon by the said applicant. The portion of the evidence of P.W.9 quoted in the reply affidavit of the State also shows that the said witness recognized the applicant in the Court room as the person present near vehicles outside the actual spot of the incident. Therefore, there is substance in the contention raised on behalf of the applicant - accused No.13 that in the face of such material, it can be said that the applicant has a *prima facie* case in his favour, at least to the extent of claiming that his presence can be said to be doubtful and that no overt act can be attributed to him. It is only in the supplementary statement on the wife of the victim that she has claimed that the said applicant was one of the four persons, who assaulted the victim. On the other hand, the first

informant, upon watching the CCTV footage, has not named the said applicant, although he claims to be familiar with him. Therefore, it can be said that the applicant has made out a *prima facie* case in his favour.

27. The weapon being recovered at the behest of applicant accused No.13 from shrubs in the open area next to the road, *prima facie*, renders the recovery also unreliable. This is also a factor in favour of the said applicant.

28. The criminal antecedents of the said applicant show that he was acquitted in one case and the other two cases pertain to minor offences. In any case, only the said factor in itself cannot be the basis to deny bail to the applicant, in the light of the fact that he has remained incarcerated for almost eight years and the trial is still pending.

29. On the aspect of delay in the trial, this Court has considered the judgements upon which the learned SPP placed reliance. It is to be noted that in the case of **X Vs. State of Rajasthan** (*supra*), the observation made by the Supreme Court that ordinarily the High Court would be loath in entertaining bail applications of the accused where serious offences are alleged and the trial has commenced, was in the context of the FIR having been lodged on 18.09.2023 and the trial already having commenced when the Supreme Court passed the order on 27.11.2024. But, in the present case, the FIR was registered as far back as on 15.02.2017, the applicant - accused No.13 was arrested on 29.03.2017, charge was framed after about seven years on 31.01.2024 and while the trial has commenced, the prosecution intends to examine 75 witnesses of which only 14 have been examined till date. The judgements in the cases of **Rajesh Ranjan Yadav Vs. CBI through its Director** (*supra*) and **Ranjan Dwivedi Vs. CBI, through the Director General** (*supra*) on which the learned SPP placed reliance, referred to administrative delays and delays attributed to the accused persons. It is to be noted that this

Court in the order dated 04.09.2024 passed in Bail Application No.2014 of 2024 and connected bail applications, while granting bail to four co-accused persons noted that, there were allegations and counter-allegations on behalf of the accused and the State on the aspect of delay in trial. It is also to be noted that in recent judgements, including judgements in the cases of **Union of India Vs. K. A. Najeed** (*supra*) and **Siddhant @ Sidharth Balu Taktode Vs. State of Maharashtra** (*supra*), the Supreme Court emphasized upon the role of the Constitutional Courts in such circumstances, when the accused person has suffered incarceration for a considerable period of time. In the present case, as against the present applicant, there is no material to show that there would be a possibility of witnesses being influenced, in contradistinction to the observations made hereinabove in respect of the applicant - accused No.10. Therefore, on the aforesaid aspect of the possibility of the trial continuing further for substantial period of time, this Court is inclined to hold in favour of the applicant - accused No.13.

30. It is relevant to mention here that Mr. Maneshinde, learned senior counsel appearing for the applicant - intervenor submitted, in the context of both the applications, that the investigation was botched up from the initial stage itself and that, the accused persons have made all attempts to delay the trial.

31. This Court, in the light of the observations made hereinabove, is not venturing into the said aspect of the matter. The concerned Court is expected to complete the trial expeditiously.

32. In view of the above, Bail Application No.4730 of 2024 is allowed in the following terms:-

- (i) The applicant - Rajni @ Rajnikant Prakash Mhatre shall be released on bail in connection with FIR No.I-61 of 2017

dated 15.02.2017 registered at Narpoli Bhiwandi Police Station, District Thane, on furnishing P.R. Bonds of Rs.1,00,000/- with one or two sureties in the like amount to the satisfaction of the trial Court;

- (ii) The applicant, upon being released on bail, shall report to Narpoli Bhiwandi Police Station on the first Monday of every month between 10:00 a.m. and 12:00 noon during the pendency of trial;
- (iii) Upon release, within one week, the applicant shall inform the Investigating Officer as well as the trial court about his contact number and residential address and update the same in case of any change.
- (iv) The applicant shall not enter the premises where the informant, witnesses and the wife/daughter of the deceased are residing.
- (v) The applicant shall co-operate with the concerned Court in completing the proceedings expeditiously and attend the proceedings before the trial Court on each and every date, unless specifically exempted.
- (vi) The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not undertake any action that may influence the informant, witnesses and other persons concerned with the case.

33. The applicant - Rajni @ Rajnikant Prakash Mhatre shall be liable to face proceedings for cancellation of bail, in the event any of the aforesaid conditions are violated.

34. It is also clarified that the observations made in this order are limited to the disposal of both the bail applications and the trial court

shall proceed further in the matter without being influenced by the observations made hereinabove.

35. In view of the dismissal of Bail Application No.3862 of 2024, nothing survives in Criminal Application No.4503 of 2024 and the same is disposed of as such.

(MANISH PITALE, J.)

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