

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1211 OF 2024

Deepak Shyamu Prajapati Applicant

Versus

The State of Maharashtra Respondent

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PATIL

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Mr. Shambhu M. Jha a/w Suraj Pandey a/w Sandeep Dubey , for
the applicant.

Smt. Madhavi H. Mhatre , APP for the State/Respondent.

Ms. Priti Rita i/b Karmarkar and Associates for 1st informant.

CORAM :SARANG V. KOTWAL, J.
DATE : 2nd MAY, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection
with C.R No. 1044 of 2023, registered at Dahisar Police Station,
Mumbai, on 24/11/2023 under Sections 420, 465, 467, 470, 471
r/w 34 of the Indian Penal Code.

2. Heard Mr. Jha, learned counsel for the Applicant, Smt.
Mhatre, learned APP for the Respondent-State and Ms. Rita,
learned counsel for the first informant.

3. Ms. Priti Rita, learned counsel for the first informant states that she has instructions to file an intervention Application on behalf of the first informant. She seeks adjournment. At her behest today I am adjourning the matter. However, I have heard the parties for consideration of the ad interim relief.

4. The FIR is lodged by one Samir Ali Ismail Shaikh. His father had one flat at Mira Road and one shop at Dahisar. The flat was given to the informant's brother and the shop was given to the informant's other brother and the informant. The allegations are that the present applicant was trying to usurp that property by relying on a forged document purported to be a sale deed executed by the informant's brother Khalid Shaikh as the informant's power of attorney holder. Said Khalid and the other brother of the informant had passed away in an accident. The Applicant has filed a civil suit at Dindoshi Court in respect of the said property. Learned counsel for the Applicant relied on the order dated 16/04/2024 passed in ABA No. 1017 of 2024, whereby the Applicant's brother was protected by way of an interim relief till

13/06/2024. He submitted that the allegations against both the accused are almost similar. Considering these submissions, the present application can be heard along with ABA No. 1017 of 2024 and in the meantime similar protection can be granted to the Applicant. Hence the following order.

ORDER

- (i) In the event of his arrest in connection with C.R No. 1044 of 2023, registered at Dahisar Police Station, Mumbai, till the next date, the Applicant is directed to be released on bail on his executing PR. 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 13/06/2024.
- (iii) This matter be tagged with ABA No. 1017 of 2024. To be decided together.
- (iv) Stand over to 13/06/2024.

(SARANG V. KOTWAL, J.)