

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.1429 OF 2024

Shila Satish Patel	Applicant
Versus	
State of Maharashtra	 Respondent

Mr. Mrityunjai Srivastava, Advocate i/b. Edgar Braganza for the Applicant.

Ms. Ranjana D. Humane, APP for the Respondent-State.

**CORAM : SARANG V. KOTWAL, J.
DATE : 24th JUNE, 2024**

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.188/2024 registered with Samata Nagar Police Station, Mumbai on 17.3.2024 under Sections 34, 420, 427, 448, 451, 465, 467, 471 of IPC.

2. The gist of the FIR, lodged by the complainant Ashokkumar, is that his room at Kandivali was in his possession, but, in March 2024 he saw that somebody else was in its possession and names of the owners were written on the wall as Saturam More, Naresh More and the present Applicant. It is alleged that based on the forged documents,

the room was transferred in the name of the present Applicant. The alleged vendor had no authority to transfer that room in the Applicant's name.

3. Heard Mr. Mrityunjai Srivastava, learned counsel for the Applicant and Ms. Ranjana Humane, learned APP for the Respondent-State.

4. Learned counsel for the Applicant submitted that she is a bonafide purchaser. The main accused Naresh had taken money from her and had sold that room to them. She was not aware that Naresh had played fraud or had prepared the bogus documents claiming to be the owner of the property. He submitted that one of the co-accused Mangesh More is protected by ad-interim relief by this court vide order dated 9.5.2024 passed in A.B.A. No.1302/2024.

5. Considering these submissions, it is necessary for the investigating agency to *prima facie* show whether the Applicant was a bonafide purchaser or she was in collusion with the other accused who had committed this offence. For that purpose the Applicant can be directed to report to the

police station with ad-interim relief till the next date and this application can be heard with A.B.A. No.1302/2024.

6. Hence, the following order:

ORDER

- (i) In the event of her arrest in connection with C.R.No.188/2024 registered with Samata Nagar Police Station, Mumbai, till the next date, the Applicant be released on bail on her 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 5.7.2024.
- (iii) The Applicant shall attend the concerned Police Station on 1st, 2nd and 3rd July, 2024 between 1:00 p.m. to 5:00 p.m. thereafter as and when called. She shall cooperate with the investigation.
- (iv) Stand over to 5.7.2024. To be heard along with A.B.A. No.1302/2024.

(SARANG V. KOTWAL, J.)