

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.5404 OF 2009

Shri Ajitpal Singh Harnam Singh Vijan,

.... Applicant

vs

The State of Maharashtra

.... Respondent

Mr.Girish Kulkarni i/b. Amol Mhatre for the Applicant.

Mrs.A.A. Mane, APP for the State.

Mr.Tanvir Shaikh, API, (Investigating Officer) present.

**CORAM: ANOOP V. MOHTA, J.
(VACATION JUDGE)**

DATE : 30th December, 2009

P.C.:

Mentioned. Not on board. In view of urgency, taken on board.

2 The present applicant has been charged along with other accused for the offences punishable under Section 420 of I.P.C. Read with Section 34 of I.P.C. Vide C.R. No.31/2009 at the instance of EOW, CB, CID, Mumbai.

3 Admittedly, the applicant is in jail since 11.11.2009 initially in police custody and later on after 17.11.2009 in judicial custody.

4 The charge is pertaining to a document i.e. Lease Deed of the year 2003. The other accused Mr.Baldev Singh, who is one of the Director of M/s.Pariwar

Infrastructure Private Limited is already on bail as granted by Metropolitan Magistrate 19th Court, Esplanade, Mumbai on 19.11.2009 and other accused Mr. Deepak Champaklal Jani in Criminal Application No.5426/2009 has been granted bail today by separate order.

5 Considering the facts and circumstances of the case and as the prosecution case revolve around the above document and the allegations of forgery and as the document is already in possession of the respondent's officer and as considering the progress of investigation and in view of the fact that they are in custody of the respondent since 11.11.2009, I see there is no reason now to detain the applicant also in such fashion. Therefore, I am inclined to grant bail on the following conditions:

- (i) The applicant be released on bail in the sum of Rs.25,000/- with two equal sureties in the like amount.
- (ii) The applicant be released on bail on cash security till he obtain two equal sureties in the like amount for seven days. Thereafter, he should furnish two solvent sureties of the equal amount in accordance with law.
- (iii) The applicant shall attend EOW, C.B. C.I.D., Mumbai Office twice in a week between 3 to 5 p.m. Regularly and if necessary, as and when required and called by the officer concerned.
- (iv) The applicant shall cooperate in all respect and also provide documents, if any, which are relevant for the purposes of investigation and which are in his possession.
- (v) The applicant shall not influence the witnesses and interfere or obstruct in

any manner in the investigation.

(vi) Any breach of above conditions, will entitle the prosecution to apply for cancellation of bail.

(vii) The learned Magistrate to act on an ordinary copy of this order duly authenticated by Senior Private Secretary.

(ANOOP V. MOHTA, J.)