

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 434 OF 2014
WITH
CRIMINAL APPLICATION NO. 820 OF 2014
IN
CRIMINAL APPLICATION NO. 5182 OF 2013

Jayshree d/o. Tatyrao Lamture

....Applicant.

Versus

The State of Maharashtra & Ors.

....Respondents.

Mr. J.R. Patil, Advocate for applicant.

Mrs. M.A. Deshpande, APP for State.

Mr. S.V. Warad, Advocate for other respondents.

CORAM : T.V. NALAWADE, J.

DATED : 5th January, 2015.

ORDER :

1. The learned counsel for the applicant in Criminal Application No. 434/2014 submitted that respondent No. 4 may be deleted as he wanted to make progress of the matter. So, the matter as against respondent No. 4 is dismissed as no steps are taken.

2. The first application is filed for cancellation of order of bail made by this Court on 17.10.2013 in Criminal Application No. 5182/2013 and the second application is filed for

cancellation of anticipatory bail granted to respondents by the learned Additional Sessions Judge, Ahmedpur. Both the sides are heard.

3. In the first proceeding, it is the contention of the original complainant that there has been breach of conditions of bail also. Copy of N.C. registered is produced to show that threats were given by the respondents of the first proceeding and some incident did take place on 17.12.2013 and the report was given from the side the applicant. Copy of F.I.R. from C.R. No. 3059/2013 is produced. This F.I.R. was given by mother of the applicant and she has made allegations that abuses were given by respondents in filthy language to her and damage was caused to her property.

4. In the second proceeding, it is contended that the learned Additional Sessions Judge ought not to have granted relief of anticipatory bail, when the respondents of that proceeding had participated in the incident and the crime was registered for offences punishable under sections 307, 149 etc. of I.P.C.

5. This Court has considered entire material produced

by both the sides. There is dispute of civil nature between the parties and civil suit is filed by present applicant against respondents and others. The present applicant had claimed relief of temporary injunction, but the relief was refused by the Trial Court and this order is confirmed by the District Court. Thus, there is dispute of different nature. While granting relief of bail, this Court has considered the relevant papers including the injury certificate. When there is such dispute and the relief of present nature is granted, such grievances are ordinarily made. Cancellation of bail and anticipatory bail are exceptional matters. The aforesaid circumstances are not sufficient for cancellation of the orders already made in favour of respondents/accused.

6. Both the applications stand rejected.

[T.V. NALAWADE, J.]

ssc/