

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
Criminal Appellate Jurisdiction.**

CRIMINAL APPLICATION NO. 2711 OF 2015.

SHRIRAM RAGHUNATH SHINDE & ORS.

VERSUS

THE STATE OF MAHARASHTRA

Appearance =>

Mr. J.K. Bansod, Advocate h/for Mr. Shailesh P. Brahme,
Advocate for the Applicants.

Mr. A.S. Shinde, Additional Public Prosecutor for the State of
Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 16th June, 2015.

Per Court :-

Present Criminal Application is filed by the applicants for grant of anticipatory bail, since they are apprehending their arrest in connection with CR No.24/2015 registered with Police Station, Sidhkheda, District – Dhule for the offences punishable under Section/s. 327, 342, 465, 506(II), 149 of the Indian Penal Code.

[2] Heard Mr. J.K. Bansod, Advocate h/for Mr. Shailesh P. Brahme, Advocate for the Applicants and Mr. A.S. Shinde, Additional Public Prosecutor for the State.

[3] First Informant is the brother of present applicants. He filed private complaint before the learned Magistrate on 19th February, 2015. The allegations in the said complaint is that the applicants and

others barged into the agricultural field bearing Gat No.108 and they took the first informant – complaint with them. Thereafter, he was taken to the office of the Sub Registrar, Dondaicha and obtained the thumb impressions of the complainant on two documents.

With these allegations, complaint is lodged. Two registered sale deeds are executed by the complainant in favour of the applicants on 15/01/2015. The sale deeds are executed and registered in the office of the Sub Registrar, Dondaicha.

[4] In that view of the matter, allegations made in the First Information Report that by force he was required to execute the sale deed/s in favour of the applicants, prima facie appears to be improbable.

[5] Further inspite of the fact that those two sale deeds, even according to the First Information Report were executed by force, he has not filed suit for cancellation of two sale deeds.

[6] It appears that there is dispute between the brothers and therefore, the applicants are impleaded falsely in the crime at least prima facie. That leads me to pass the following order :-

ORDER

(i) Criminal Application is allowed.

(ii) In the event of arrest, Applicant No.1 - SHRIRAM RAGHUNATH SHINDE and Applicant No.2 – SHIVAJI RAGHUNATH SHINDE shall be released on anticipatory bail, on

they executing PR. Bond of Rs. 15,000/- [Rs. Fifteen Thousand.] each with one solvent surety in the like amount, in connection CR No.24/2015 registered with Police Station, Sidhkheda, District – Dhule for the offences punishable under Section/s. 327, 342, 465, 506(II), 149 of the Indian Penal Code.

(iii) With this Criminal Application is allowed and same is disposed of accordingly.

(V.M. DESHPANDE, J.)