

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

CRIMINAL APPLICATION NO. 3978 OF 2015.

LATA W/O RAM BHARTI & OTHERS.
VERSUS
THE STATE OF MAHARASHTRA.

Appearance =>

Mr. Balbhim R. Kedar, Advocate for the Applicants.

Mrs. S.G. Chincholkar, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 12th August, 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.98/2015 registered with Police Station, Bhagyanagar, Nanded, District - Nanded for the offences punishable under Section/s. 420, 467, 471, 408, 504 and 506 of the Indian Penal Code.

[2] Heard Mr. Balbhim R. Kedar, learned counsel for the Applicants and Mrs. S.G. Chincholkar, learned Additional Public Prosecutor for the State of Maharashtra.

[3] As per the First Information Report, Anil Jankiram Sangewar is partner of one Chintamani & Associates, engaged in

building construction. He lodged complaint with Police Station, Bhagyanagar, Nanded, District – Nanded on 18th June, 2015. According to the First Information Report, Satish Subhash Giri has misappropriated the amount, more than Rs.1 Crore and 75 Lakhs by preparing bogus and fabricated documents.

Present Applicant are father-in-law, mother-in-law, wife and brother-in-law of said Satish. According to the First Information Report, these persons have extended threats to the first informant on telephone.

According to the First Information Report, threats were given for not taking action against Satish.

[4] Worth to note is that, present Applicant No.6 has filed complaint on 16th March, 2015 i.e. three months prior to the present First Information Report against present first informant that he entered into her house and taken away certain documents. Though the said complaint was disclosing cognizable offence, Police Officer, for the reasons best known to them, registered the offence on 8th May, 2015 vide CR NO.73 Of 2015.

[5] Further, it is to be noted that, Satish who was arrested by the Police is released on bail by the learned Judicial Magistrate, First Class, Court No.1, Nanded on he executing PR Bond of Rs.15,000/- Said order is not challenged by the prosecution before the Superior Court.

[6] In view of the above and looking to the nature of accusation made against the present Applicants and looking to the fact that they have not directly related in misappropriation, as alleged in the First Information Report, the Applicants can be protected by exercising discretion in their favour.

[7] Further, vide order dated 29th July, 2015, this court has granted interim anticipatory bail in favour of the Applicants. There is no complaint from prosecution that they have mis-used the liberty granted to them. In that view of the matter, following order is passed :-

ORDER

- (i) Criminal Application is allowed.
- (ii) Interim relief dated 29th July, 2015 granted by this court stands confirmed.
- (iii) With this Criminal Application is allowed and same is disposed of, accordingly.

(V.M. DESHPANDE, J.)