

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.4554 OF 2015

Bhagwan s/o Dnyaneshwar Chaudhari
and ors.

..APPLICANTS

VERSUS

The State of Maharashtra

..RESPONDENT

Mr P.D. Bachate, Advocate for applicants;
Mr S.R. Palnitkar, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 7th September, 2015

ORAL ORDER :

Heard learned Counsel appearing on behalf of the applicants and learned Addl. Public Prosecutor on behalf of the respondent.

2. Pursuant to the complaint case under section 156 of the Code of Criminal Procedure, an offence bearing C.R. No.I-154 of 2015 (M Case), came to be registered with police station, Chikalthana, District Aurangabad, for offences punishable under section 120-B, 406, 418, 420, 468, 471, 474 read with sec. 34 of the Indian Penal Code. The allegations against the present applicants are that they have created forged documents and got the sale deed registered in relation to the property in question.

3. It is not in dispute that the sale deed executed in favour of some of the applicants is dated 8th March, 1979, i.e. almost forty years old. Leave apart, there is a civil suit pending between the parties, initiated by the complainant Dhananajay, in which an injunction is already refused.

4. From perusal of the record, it reflects that the dispute involved in the present proceedings is purely of civil nature. In view thereof, in my opinion, it will be appropriate to enlarge the applicants on bail, in the event of their arrest. Hence, following order :-

In the event of arrest of applicants, namely, (1) Bhagwan s/o Dnyaneshwar Chaudhari, (2) Ganesh Baburao Bagal, (3) Vishnu s/o Ganpat Khandagale, (4) Chandrashekhar s/o Shriram Chaudhari, (5) Uttam s/o Baburao Gorde, (6) Smt. Chhababai w/o Uttam Gorde and (7) Subhash s/o Uttam Gorde, in connection with C.R. No.I-154 of 2015 (M Case), came to be registered with police station, Chikalthana, District Aurangabad, for offences punishable under section 120-B, 406, 418, 420, 468, 471, 474 read with sec. 34 of the Indian Penal Code, they be released on bail, on each of them furnishing P.R. Bond of Rs.10,000/- with one surety for the like amount, on condition that they shall attend the concerned police station, initially for three days, between 10.00 a.m. and 11.00 a.m. and thereafter as and when called by the Investigating Officer.

Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

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