

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 187 OF 2016

Prabhakar s/o. Namdeo Bondar	..	Applicant
Versus		
The State of Maharashtra & Anr.	..	Respondents

WITH

CRIMINAL APPLICATION NO. 6324 OF 2015

Sudha w/o. Jagdishchandra Joshi	..	Applicant
Versus		
The State of Maharashtra & Anr.	..	Respondents

Mr. A.T. Jadhavar, Advocate for the applicants.
Mr. S.D. Ghayal, A.P.P. for responden/State.

**CORAM : A.V.NIRGUDE &
INDIRA K. JAIN, JJ.
DATED : 07.03.2016**

P.C. :-

1. The applicants are accused in Crime No.89 of 2015, registered on 25.08.2015 at Shiradhon Police Station, Tal. Kalamb, Dist. Osmanabad. The allegations made by the complainant in short can be stated as under :-

2. The complainant is a Police Officer. While he was posted at Shiradhon Police Station, he found that land Gat No.214 situated at village Shiradhon was also given Gram Panchayat No.726 and 727. Earlier this land

stood in the name of the Government and Police. But subsequently on 13.01.2001 the Gram Panchayat took a resolution declaring that these two pieces of land are occupied by Bandu and Ashok and their names should be entered as occupier. Taking advantage of this resolution, Bandu and Ashok then made representation to various purchasers and sold the land dividing them into various pieces. The complainant-police officer felt cheated and therefore the complaint was lodged.

3. We do not see any offence being committed against the complainant, though the activity alleged in the complaint is clandestine and illegality. The complainant was not deceived by Gram Panchayat Officials or Bandu and Ashok. At the most it can be said that Bandu and Ashok cheated purchasers of plots. They are not complainants here. Therefore, the complaint deserves to be quashed.

4. Both the Criminal Applications are allowed. Entire complaint stands quashed.

[INDIRA K. JAIN, J.]

[A.V.NIRGUDE, J.]