

(1)

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

CRIMINAL APPLICATION NO.3374 OF 2016

Sukhlal s/o Hiranman Phule,
Age 49 years, Occu. Service,
R/o Jai Hind Colony, Deopur,
Dhule, Taluka and District Dhule

..APPLICANT

VERSUS

The State of Maharashtra,
Through Dhule City Police Station,
Taluka and District Dhule

..RESPONDENT

Mr Amol S. Sawant, Advocate for applicant;
Mr S.D. Ghayal, Addl. Public Prosecutor for respondent

**WITH
CRIMINAL APPLICATION NO.3556 OF 2016
IN
CRIMINAL APPLICATION NO.3374 OF 2016**

Rohidas s/o Kailash Suryawanshi,
Age : 33 years, Occu. Service,
r/o c/o Kailash Farkira Suryawanshi,
Police Head Quarter Building No.2,
Room No.4, Under Ground, Bus Stand
Area, Dhule, District Dhule

..APPLICANT
(Orig. Complainant)

VERSUS

1. Sukhlal s/o Hiranman Phule,
Age : 45 years, Occu. Service,
r/o Jai Hind Colony,
Opp. Dr. Desale Hospital, Deopur,
Dhule, Taluka and District Dhule

2. The State of Maharashtra,
Through Police Station Officer,
Police Station, Renapur,
Tq. Renapur, Dist. Latur

..RESPONDENTS

Mr C.R. Deshpande, Advocate for applicant;
Mr Amol S. Sawant, Advocate for respondent no.1;
Mr S.D. Ghayal, Addl. Public Prosecutor for respondent no.2

(2)

CORAM : A.S. CHANDURKAR, J.

DATE : 15th November, 2016

ORAL ORDER :

The applicant in Criminal Application No.3374 of 2016 apprehends his arrest in C.R. No.116 of 2016, registered with Dhule City Police Station, Dhule, for the offences under sections 420, 120-B, 504, 506 read with section 34 of the Indian Penal Code.

2. Perusal of the first information report dated 24th May, 2016 indicates that according to the complainant, his wife Sunita was assured employment by the present applicant along with one Prashant Naik. An amount of Rs.6 Lacs was given to the applicant and said Prashant Naik and subsequently as there was no progress in the matter, said Prashant Naik issued a cheque dated 5th February, 2015 for an amount of Rs.6 Lacs in favour of the complainant. Said cheque was dishonoured. Subsequently, another cheque dated 25th January, 2016, for the same amount was again issued by said Prashant Naik. This cheque was also dishonoured. On that basis, the present report came to be lodged.

3. After hearing the respective Counsel for the parties and after perusing the police papers, it can be seen that both the cheques in question have been issued by Prashant Naik and the same have been seized by the prosecution. Said Prashant Naik is not before this court. Considering the nature of allegations against the present applicant, I am inclined to release the applicant on anticipatory bail.

(3)

4. In view of aforesaid, in the event of applicant's arrest, in respect of C.R. No.116 of 2016, registered with Dhule city police station, he shall be released on bail, on furnishing P.R. Bond of Rs.20,000/- with one surety of the like amount.

The applicant shall attend the concerned police station once in every fifteen days and as per the directions of the Investigating Officer. He shall not take any steps to influence the investigation or threaten the complainant.

Breach of any of these conditions would entitle the prosecution to seek cancellation of the aforesaid liberty.

Applications are allowed and disposed of in above terms.

(A.S. CHANDURKAR, J.)

amj