

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

CRIMINAL APPLICATION NO. 6150 OF 2015

Yeshwant Reappa Rathod

...Applicant

VERSUS

The State of Maharashtra & anr.

...Respondents

.....
Shri K.S.Bhore, advocate for applicant

Smt. A.V.Gondhalekar, A.P.P. for respondent no.1/State

Shri G.V.Patil, advocate for respondent no.2 absent
.....

CORAM : A.V.NIRGUDE

AND

INDIRA K.JAIN, JJ.

DATED : 22nd January, 2016

ORDER :

- 1] Respondent no.2 is absent. His advocate is also absent.
- 2] Heard. Perused the complaint. Respondent no.2 is the complainant who stated that applicant Yeshwant agreed to sell his land to him and an agreement on a stamp paper was executed on or about 5.6.2015. He also paid a substantial amount of Rs.2,50,000/- to Yeshwant. Yeshwant agreed that he would not sale this land to any third party, but Yeshwant subsequently on 21.10.2015 sold the land by registered sale deed to one Fulabai. According to respondent no.2 this act on the part of Yeshwant amounted to criminal offence. An offence under Section 420 of the Indian Penal Code is alleged. We do not see that the ingredients of Section 415 of the Indian Penal Code are present in the allegations. Therefore,

the application deserves to be allowed.

3] Application is allowed in terms of prayer clause 'B'.

[INDIRA K.JAIN, J.]

[A.V.NIRGUDE, J.]

dbm/crap6150.15