

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (APPP) NO.194/2016

Mohan Narsinghnao Naik

..Versus..

State of Maharashtra, through its P.S.O., P.S. Ralegaon, Distt. Yavatmal

Applicant : Arun Ramdasji Ghanmode

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri G.G. Mishra, Adv. for the applicant/intervenor.

CORAM : Z.A. HAQ, J.

DATE : 1.3.2016

For the reasons stated in the application, the complainant is permitted to assist the prosecution. The application is allowed.

CRIMINAL APPLICATION (ABA) NO.26/2016

Heard Shri V.D. Awchat, advocate for the applicant and Shri A.K. Bangadkar, A.P.P. for the non-applicant.

The applicant is seeking pre-arrest bail apprehending arrest in crime registered against him under Section 420 read with 34 of the Indian Penal Code.

The accusations against the applicant are that he has misrepresented that Rajendra Jaiswal (co-accused) is owner

of property and has thereby induced the complainant to part with an amount of Rs.17,55,000/- and entering into an agreement to purchase the property of which Rajendra Jaiswal is not owner.

The learned advocate for the applicant has pointed out that the property in question is owned by Infratech Real Estate Private Limited Company and Rajendra Jaiswal was allottee of the property and then he has given up his interest in favour of the complainant. It is submitted that the Infratech Real Estate Private Limited Company has issued an allotment letter in favour of the complainant.

The facts on the record show that the dispute is of civil nature. The applicant has stated that he is not involved in any crime earlier and this is not controverted by the non-applicant. Considering the nature of allegations, it cannot be said that the custody of applicant is required by the non-applicant for further investigation. Hence, the following order:

(i) In the event of arrest of applicant in Crime No.155/2015 registered by the non-applicant, the applicant shall be released on bail on furnishing P.R. bond in the sum of

Rs.20,000/- (Rs. Twenty Thousand Only) and one solvent surety in the like amount.

(ii) The application is allowed in the above terms.

CRIMINAL APPLICATION (APPP) NO.53/2016

The application for grant of time for filing of certified copy of the documents mentioned in the application is allowed on condition that the same shall be filed by the applicant as and when required by the Court.

JUDGE

Tambaskar.