

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

CRIMINAL APPLICATION (ABA) NO. 138 OF 2016

(GOPAL HARIBHAU DHARPURE...VS..STATE OF MAH. THR. PSO PS RALEGAON, DIST. YAVATMAL)

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

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : APRIL 05, 2016.

Heard Shri S.D.Zoting, advocate for the applicant
and Shri S.M.Bhagde, A.P.P. for the non-applicant.

The non-applicant has registered the crime against five persons (including the applicant) for the offence punishable under Sections 420 and 34 of the Indian Penal Code on the accusations that the applicant and co-accused Vijay misrepresented that Rajendra Jaiswal (another co-accused) is owner of the property and by such misrepresentation induced the complainant to part with amount of Rs.17,55,000/- at the time of executing agreement of sale-purchase of the property.

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

Shri S.D. Zoting, learned advocate has pointed out that the co-accused Rajendra Jaiswal and Vijay Meshram are protected by this Court by granting pre-arrest bail.

Considering the nature of the accusations against the applicant and the facts on record, in my view, the applicant is entitled for pre-arrest bail.

Hence, the following order :

In the event of arrest in Crime No. 155 of 2015 registered by the non-applicant, the applicant be released on bail on furnishing P.R. Bond for Rs.Twenty Thousand and one solvent surety in the like amount.

The application is allowed in the above terms.

JUDGE

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