

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

CRIMINAL APPLICATION NO.2422 OF 2017

1. Rajesh s/ Radhesham Agrawal **... Applicants**
Age 42 years, Occu: Business,
R/o Sarafa, Aurangabad

2. Vijaykumar @ Vijay Kesharchand
Kasliwal, Age 42 years,
Occu: Business, R/o Kunwar Falli,
Raja Bazar, Aurangabad

VERSUS

The State of Maharashtra **... Respondent**
Through Police Station
Krantichowk, Aurangabad

Mr. Nilesh Ghanekar, Advocate for the applicants
Mr. K. N. Lokhande, APP for the State.

WITH

CRIMINAL APPLICATION NO. 2744 OF 2017

IN

CRIMINAL APPLICATION NO. 2422 OF 2017

Kishor Dilsukhchand Pande **... Applicant**

Versus

The State of Maharashtra and others **... Respondents**

Mr. Rupesh A. Jaiswal, Advocate for the applicant,
Mr. N. S.Ghanekar, Advocate for Respondent No.2
Mr. K. N. Lokhande, APP for the State.

CORAM : K. L. WADANE, J.

DATE : 8th June, 2017

ORDER:

1. Heard Mr. Ghanekar, the learned counsel for the
applicants and Mr. Lokhande, the learned APP for the
State.

2. Present Criminal Application is filed for grant of anticipatory bail in connection with Crime No. 415/2017 registered with Kranti Chowk Police Station, Aurangabad for the offences punishable under sections 420, 406 read with section 34 of the Indian Penal Code, 1860.

3. On the basis of information given by the complainant, Kishore Pande, the offence came to be registered against the applicants. The allegations are that in the month of September, 2014, applicants agreed to sale certain lands for an amount of Rs.15,00,000/- per acre. Accordingly, an amount of Rs.28,50,000/- was paid to the complainants. Thereafter, the applicants shown inability to execute the sale deed and agreed to pay damages worth Rs.1,50,000/- and accordingly, executed memorandum of understanding between them. On the basis of Memorandum of Understanding, they issued two cheques of Rs.15,00,000/- but they were bounced. Therefore, complainant lodged Complaint under Section 138 of the Negotiable Instruments Act.

4. Intervention application bearing Criminal Application No. 2744/2017 is presented on behalf of the

complainant, wherein he has stated that matter is amicably settled between the complainant and applicants. He has no objection for grant of anticipatory bail to the applicants. In the facts and circumstances of the case and settlement of dispute between the parties, I am of the opinion that custodial interrogation of the applicants is not needed. Hence Criminal Application No. 2422/2017 is allowed.

5. In the event of arrest of the applicants in Criminal Application No. 2422/2017 in connection with Crime No. 415/2017 registered with Kranti Chowk Police Station, Aurangabad, they shall be released on bail on their executing P.R. Bond of Rs. 10,000/- [Rs. Ten thousand only] each with one solvent surety in the like amount.

6. Both the Criminal applications stand disposed of.

(K. L. WADANE, J.)

JPC