

CRIMINAL APPLICATION NO. 3157 OF 2017

- 1 Umakant @ Umesh s/o Namdeo Zare, Age 32 years, Occ. ... **Applicants** Agriculture, R/o. Adloor Tq. Degloor, At post Bhyagaon Road.
- 2 Balaji s/o Bhimrao Shinde, Age 58 years, Occ. Agriculture, R/o. Borgaon Tq. Degloor, Dist. Nanded.
- 3 Umakant @ Umesh s/o Balaji Shinde, Age 19 years, Occ. Agriculture, R/o. Borgaon, Tq. Degloor, Dist. Nanded.

VERSUS

The State of Maharashtra, ... Respondent
Through : Degloor Police
Station, Tq. Degloor, District
Nanded.

Mr. P. R. Katneshwarkar, Advocate for the applicant
Mr. A. R. Borulkar, APP for the State.

CORAM : K. L. WADANE, J.

DATE : 17th JULY, 2017

ORDER:

1. Heard Mr. Katneshwarkar, learned counsel

appearing for the applicant and Mr. Borulkar, learned APP appearing for the respondent-State.

2. It is the case of the prosecution that, on 17.05.2017 when the first informant had come to Degloor on motor-cycle of one Anand Bolke for purchasing clothes to his daughter. He received phone call from applicant No. 1 who told the informant that he has some work with him and he sent one Maruti for bringing the first informant. It is further case of the prosecution that, when the first informant went to the showroom of applicant No. 1, he took him in his house. There was talk between him and the informant on the compensation on account of death of son of the applicant No. 2. At that time the informant told them that he had already paid an amount of Rs. 1,50,000/- as a full and final compensation. But all the applicants insisted the informant that he should pay an amount of Rs. 8 lakhs, to which the informant refused. On which the applicants were insisting to execute a sale-deed of his land in their name otherwise they would kill him. In the said dispute applicants-

accused and their driver tied him by rope and assaulted by Bambu stick, hockey stick and belt. Due to which the informant sustained injuries. On the basis of the information given by the informant offence came to be registered against the applicants at Crime No. 244/2017 at Degloor Police Station District Nanded for the offences punishable under section 397, 395 and 342 of the Indian Penal Code.

3. The learned counsel appearing for the applicants submit that, there is a dispute between applicants No. 2 and the informant regarding compensation with reference to the motor vehicle accident. The learned APP submits that there is recovery of gold ring from the possession of the applicant No.1.

4. Looking to the papers of investigation and the documents of the registration of the crime, it appears that, there is dispute between the applicant No. 2 and the informant on account of payment of compensation. The informant says that he has already paid an amount of Rs.1,50,000/-, however, applicants were insisting to pay an amount of Rs. 8 lakhs,

therefore, the possibility of incident being coloured cannot be ruled out. Furthermore, gold ring is recovered at the instance of applicant No. 1. No further recovery is sought in the matter. In view of the above, the applicant can be released on bail by putting certain conditions. Hence, following order.

O R D E R

- (1) The applicants shall be released on bail in connection with Crime No. 244/2017, registered with Degloor Police Station, District Nanded, on their executing P.R. Bond of Rs. 15,000/- [Rs. fifteen thousand only] with one solvent surety in the like amount.
- (2) The applicants shall not tamper with the prosecution evidence in any manner.
- (3) The applicants shall attend the police station Degloor once in a week i.e. on Monday between 12 noon to 2 p.m.

5. Criminal application disposed of.

(K. L. WADANE, J.)

mkd/-