

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

ANTICIPATORY BAIL APPLICATION NO.1222 OF 2017

Rakesh Rajaram Dontulwar	..	Applicant
Vs.		
State of Maharashtra	..	Respondent

***along with
CRIMINAL APPLICATION NO.800 OF 2017
IN
ANTICIPATORY BAIL APPLICATION NO.1222 OF 2017***

Jitendra Bhaskar Mahajan	..	Intervenor
Rakesh Rajaram Dontulwar	..	Applicant
Vs.		
State of Maharashtra	..	Respondent

Mr.Raju D.Suryawanshi for the applicant.
Mr.S.V.Gavand, Additional Public Prosecutor for the respondent.
Mr.Prashant Gavai for the Intervenor.

***CORAM : T.V. NALAWADE, J.
DATE : 24th August 2017***

P.C. :

. The application is filed for the relief of anticipatory bail in C.R.No.91 of 2012 registered with Upanagar Police Station, Nashik for the offences punishable under Sections 120,403, 406, 4120, 506(2) read with 34 of the Indian Penal Code. Both the sides are heard.

2. The record show that the complainant gave an amount of Rs.5 lakh to the applicant for making investment in business. The

document was prepared on 19th July 2016. This Court has carefully gone through the contents of the documents showing rights and liabilities. The profit and loss were to be equally shared but not right was given to the first informant to participate in conducting the business. The complainant has contended that on two occasions, some amount was given by the accused but the entire accounts of investment, business were never shown and so he is feeling deceived. In view of the terms and conditions of the agreement, it is open to the first informant to give notice to the complainant and to take further steps as provided in law. This was not done by the complainant but the applicant had given notice as there was some dispute. It can be said that the complainant is using criminal law as pressure tactics and apparently it is a civil dispute. This Court holds that protection needs to be given to the applicant. Application is allowed. Interim relief granted is confirmed. Application for intervention is allowed and disposed of.

T.V. NALAWAE, J.