

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

ANTICIPATORY BAIL APPLICATION NO.1345 OF 2017

Udyashankar Ramesh Patil	..	Applicant
Vs.		
State of Maharashtra	..	Respondent

Mr.M.S.Mohite i/by Mr.Vikrant V. Phatate for the applicant.
Mr.S.R.Agarkar, Additional Public Prosecutor for the respondent.
Mr.Sanjeev Bhosale, API Nijapur Naka Police Station.

CORAM : T.V. NALAWADE, J.
DATE : 9th August 2017

P.C. :

. The application is filed for relief of anticipatory bail. Both the sides are heard. Papers of investigation were made available for perusal of this Court.

2. Papers of investigation show that the crime as C.R. No.413 of 2017 was registered in Vijapur Naka Police Station for the offences punishable under Section 306, 506 read with 34 of the Indian Penal Code on the basis of the report given by Digambar Ramchandra Jadhav. It is the contention of the complainants that they were in need of money and so that approached the present applicant for getting loan. It is contended that he wanted to execute a lease document for a period of five years and so some documents were executed in favour of the present applicant in the year 2010 in respect of the agricultural land. It is contented that under agreement, the complainant and his brothers were to get Rs.2,25,000/- each and they were also to be get the rent for use from the present applicant. It is contended that after expiry of the period

of five years, they approached to the present applicant and requested him to return the land to them but he refused to do so. It is contended that the complainant and his brothers were required to file civil suits in the Court and four such suits came to be filed in the year 2011.

3. It is contended by the complainant that the maternal uncle of the present applicant and one Malvi Anna had approached them and had given threat and they were asking them to execute a sale deed in favour of the present applicant. It is contended that the applicant and his men are not allowing them to cultivate the land. It is contended that on 7th July 2017, his brother Nagnath committed suicide by hanging himself because of the aforesaid dispute. He has made an allegation that his brother committed suicide due to aforesaid dispute and there no other alternative was left before his brother than to commit suicide.

4. Submissions made and the records show that civil suits are pending between the parties and the aforesaid dispute will be decided by the Civil Court. No specific incident with regard to the deceased is mentioned in the First Information Report. When the applicant was admittedly in possession of the land, there was no reason for him to pick up quarrel by any of the incident. Suits are pending in the Court and there are allegations of aforesaid nature. This Court holds that protection needs to be given. The application is allowed. Interim relief granted by this Court by an order dated 28th July 2017 is confirmed.

T.V. NALAWADE, J.