

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

WRIT PETITION NO. 3276 OF 2016

Mr. & Mrs. S. M. Batha Education
Trust & anr.

... Petitioners

vs.

State of Maharashtra & ors.

... Respondents

Mr. Dhiraj Chavan i/by Mr. Deven Dwarkadas, Advocate for the petitioner.

Mr. V. V. Gangurde, A.P.P. for respondent no.1/State.

Mr. Pradeep Havnur, Advocate for respondents no.4 and 5.

Coram : Smt. R. P. SondurBaldota, J.

Date : 4th January, 2017

P.C. :

This petition challenges the order dated 6th August, 2016, by which the Additional Sessions Judge, Satara has allowed the application for bail thereby confirming the interim order dated 22nd April, 2016. Respondents no.2 to 5 had filed application under Section 438 of the Criminal Procedure Code in Crime No.17 of 2016 for the offence punishable under Sections 380, 427, 454 r/w 34 of the Indian Penal Code registered with Panchgani Police Station. Respondents no.2 and 3 are the employees of S. M. Batha High-school, Panchgani and respondents no.4 and 5 are the trustees of the Trust that runs the school. The Sessions Court has noted that the complaint filed is apparently an outcome of removal of the complainant as a trustee by the resolution dated 5th April, 2016. By that

resolution, the complainant, his wife and two more persons were removed as trustees. Considering this nature of dispute, there can be no infirmity with the impugned order confirming the interim bail granted to respondents no.2 to 5. Further no case has been made out for cancellation of bail. The present petition is a clearly frivolous petition, which ought not to have been filed. Hence, the petition is dismissed with costs quantified at Rs.10,000/- to be paid to respondents no.4 and 5.

[Smt. R. P. SondurBaldota, J.]