

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.420/2017

Siddharth S/o Sureshrao Datar and another
..Vs..
The State of Maharashtra, through Police Station Officer, Ajni Police Station,
Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S. Zia Qazi, Adv. for the applicants.
Shri N.R. Patil, A.P.P. for the non-applicant / State.

CORAM : Z.A.HAQ, J.

DATE : 26.7.2017.

Heard.

Apprehending arrest in connection with Crime No.307/2015 registered against the applicants and two others for the offence punishable under Sections 363, 364A, 452, 323, 325, 326 and 201 read with Section 34 of the Indian Penal Code, applicants have sought pre-arrest bail.

The accusations against the accused are that the accused abducted the husband of complainant and assaulted him which resulted in grievous injuries. The complaint was lodged on 21st September, 2015.

The facts on record show that the applicant No.1 has filed civil suit against the victim (husband of complainant) and another praying for decree for specific

performance of agreement of sale dated 19th January, 2015. According to the applicant No.1, the husband of the complainant failed to comply this part of agreement and, therefore, notice was issued to him on 23rd May, 2015 which was served on him on 24th May, 2015, and then the false complaint is lodged by the complainant to pressurize the applicants.

The applicants have stated that an application under Section 482 of the Code of Criminal Procedure is filed by them praying that the F.I.R. be quashed and in that application a memorandum of understanding dated 9th June, 2016 is placed on record which shows that the civil dispute between the complainant, her husband and the applicants and 2 others is amicably worked out.

Be that as it may, by order passed on 30th June, 2017 this Court granted interim protection to the applicants. The investigating agency has not complained that the applicants have not co-operated with it. The non-applicant has not been able to show that custody of the applicants is required for investigation.

In the facts of the case, the order passed on 30th June, 2017 granting protection to the applicants is confirmed. The application is **allowed** accordingly.

JUDGE