

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

CRIMINAL APPLICATION (APPLN) NO.46 OF 2016

Rajeev S/o Shamraoji Buddhe

..vs..

The State of Maharashtra, thr. Police Station Officer, Kuhi Police Station, Taluka
Kuhi, District Nagpur and ors

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

Court's or Judge's Order

Shri S.S. Dhengare, Counsel for the applicant.

Shri S.S. Murthy, Counsel for non-applicant No.2.

CORAM : V.M. DESHPANDE, J.

DATED : JULY 11, 2017.

After hearing learned counsel for the applicant, who is seeking cancellation of anticipatory bail granted by learned Judge of the Court below on 26.4.2016 for the offences punishable under Sections 420, 467, 468, and 417 read with Section 34 of the Indian Penal Code, and having gone through the impugned order, it is clear that learned Judge of the Court below has considered the statement made in the first information report and noticed that the dispute is in respect of immovable property and is of civil in nature. When learned Judge of the Court below has correctly exercised its discretion in favour of the non-applicant No.2, merely because the applicant wishes to cancel the anticipatory bail cannot be a

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reason especially when till today the State has not filed any application for cancellation of bail and not pointed out to as to why custody of the present non-applicant No.2 is necessary.

In that view of the matter, since the application is devoid of any substance, the same is rejected.

JUDGE

!! BRW !!