

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

CRIMINAL APPLICATION (ABA) 320 OF 2018

(Anand S/o. Siddheshwar Joshi..vs.. The State, thr PSO, PS, Chandur Railway)

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

Court's or Judge's orders.

Shri Amit Choube, counsel for applicant.
Shri Lokhande, Addl. Public Prosecutor for respondent / State.

CORAM: ROHIT B. DEO, J.

DATE: 7th June, 2018.

Heard.

2 The applicant is apprehending arrest in Crime 28 of 2018 registered at the Chandur Railway Police Station for offence punishable under section 39 of Money Lending (Regulation) Act, 2014 and under section 33 of Bombay Money Lenders Act, 1946.

3 The submission of the learned counsel for the applicant Shri Amit Choube is that the applicant entered into two separate agreements dated 1.5.2014 and 23.11.2015 to purchase two properties, to wit, agricultural land admeasuring 0.81 R situated in Gut 62, Mouza Kalamgaon, Chandur Railway owned by one Anant Yeole and the adjoining agricultural land admeasuring 1H 24R owned by Eknath Yeole for a valuable consideration by paying earnest amount of Rs. 2 lac and 2.50 lac respectively.

The applicant has already instituted civil suit claiming specific performance of the two agreements, is the submission which is not controverted by the learned Additional Public Prosecutor.

4 The submission is that the complaint is lodged to gain leverage in the civil litigation.

5 The applicant is employee of a nationalized bank.

6 In view of the nature of the allegations, I am inclined to allow the application.

7 The interim order dated 3.5.2018 is confirmed.

JUDGE

RS Belkhede