

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

CRIMINAL WRIT PETITION NO.1824 OF 2019

BHALCHANDRA PRABHAKAR PATIL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Petitioners : Mr. Kishor C. Sant.

APP for Respondent/State: Mr. S. J. Salgare.

Adv. for Respondent No.2 : Mr. S. C. Bhosle, h/f Mr. Harbans Singh D. Bedi.

...

CORAM : T. V. NALAWADE &
M. G. SEWLIKAR, JJ.

DATE : 15th December, 2020.

ORDER: (Per T. V. Nalawade, J.)

. The petition is filed for relief of quashing of FIR No.286 of 2019, registered with City Police Station Jalgaon, for the offences punishable under Sections 143, 323, 501, 504 and 506 of the Indian Penal Code.

2 Both the sides are heard.

3 The learned APP produced the papers of investigation and

this Court has carefully gone through the papers. The crime is registered on the basis report given by Respondent No.2, Hemant Patil. In the report dated 1st November, 2019, he has described the incident dated 31st October, 2019. According to him, on that day, in the noon time, he was present as a reporter of Dainik Batmidar in front of Jalgaon Peoples Co-operative Bank office. He is also editor of this newspaper. On that day, there was a meeting in the bank. According to him, one Sagar Kashinath Otari, who is editor of Shaurya Marathi YouTube News Channel, was also present there. As there was a meeting of the depositors of the bank, they wanted to know from the depositors as to what was the reaction in respect of some order made by the Reserve Bank against Jalgaon Peoples Co-operative Bank.

4 In the FIR, it is mentioned that in Dainik Batmidar newspaper, a news was published that Reserve Bank had imposed penalty of rupees twenty-five lakh on aforesaid bank and so they wanted to get response from the depositors. It is contended that at about 04:30 pm when they present in front of the bank and they were on the road, all the Petitioners, mostly the persons from Director Board and staff came to them and picked up quarrel. It is contended that they questioned as to why such news was published by the informant and they gave threats to cut limbs and to finish the informant. It is contended that he was pushed and pulled by all these persons and

abuses were given to him by all these persons. It is contended that all these persons then compelled him to leave that place. It is contended that when Sagar Otari tried to convince these persons to behave well, against him also threats were given and abuses were given. It is contended that on the same day Petitioners made viral his photographs on social media to defame him and so he had come to the police station to give report.

5 In police papers, there are statements of Sagar Otari and other persons and Sagar has supported the allegations made by Hemant Patil.

6 The learned counsel for Petitioners submitted that these two persons were unnecessarily defaming the bank. He submitted that after this incident the Petitioner had applied for loan of rupees one crore and that shows that there was nothing wrong in the functioning of the bank. He submitted that Sagar Otari was occupying some place in the building of the bank and he was asked to vacate the premises and due to that he is taking the side of the informant. He submitted that against the bank, false news items were published to show that there were some problems with the bank and the depositors had started withdrawing their deposits.

7 Some specific allegations are made against the Petitioners of aforesaid nature and there is statement of atleast one witness in support of the allegations made by the informant. It cannot be said that there is no material at all. There was some reason for the incident and thus, motive for the incident was there. In view of these circumstances, this Court holds that no relief can be granted to the Petitioners. In the result, the petition stands dismissed.

[M. G. SEWLIKAR, J.]

[T. V. NALAWADE, J.]

ndm