

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

15 ANTICIPATORY BAIL APPLICATION NO.805 OF 2021

Pandurang s/o Daga patil,
Age; 56 years, Occ; Service (Majoor),
R/o; Hatnoor Colony, Chopda,
Tq. Chopda, Dist. Jalgaon.

...Applicant

VERSUS

The State of Maharashtra,
Through Police Station, Jilha Peth,
Tq. and Dist. Jalgaon

..Respondent

...
Advocate for Applicants : Mr.Thorat Chandrakant R.
APP for Respondent-State : Mr. A.V.Deshmukh
...

CORAM : SANDEEP K. SHINDE , J.
DATE : 29th July, 2021.

P. C. :

1. Heard learned counsel for applicant and learned APP for the State.
2. Applicant and one Vinayak Bhalchandra Thakur (Co accused) had agreed to sell land, Gut No. 246, situated at village Jalu, Tq. Erandol, District Jalgaon, ad-measuring 1 Hecter 97 Are to complainant, vide agreement to sell dated 24.11.2018. on certain terms and conditions.
3. Applicant is the owner of the land. Complainant would

alleged that although he paid agreed consideration to Vinayak Bhalchandra Thakur, the sale deed was not executed in his favour. It is the complainant's case that even after issuing notice, neither sale deed was executed nor consideration was returned to him. On this premise, crime No. 210 of 2021 was registered, under Section 420 read with Section 34 of the Indian Penal Code, against the applicant and Vinayak Bhalchandra Thakur.

4. This Court vide order dated 28.07.2021, granted pre-arrest protection to Vinayak Bhalchandra Thakur, in ABA No. 799 of 2021.

5. In consideration of the facts of the case, I am of the view, the custodial interrogation of the applicant will not further the prosecution case. In fact, the dispute between the applicant and the complainant is of 'civil' in nature.

6. For the reasons stated, application is allowed, hence following order :

7. (i) In the event of arrest of applicant in connection with Crime No. 210 of 2021, registered with Zilla Peth, District Jalgaon for the offence punishable under Section 420 read with Section 34 of Indian Penal Code, he shall be released on bail on executing P.R. bond in the sum of Rs. 15,000/- (Rupees Fifteen Thousand) with one

or more sureties in the like amount.

8. Application is allowed and disposed of.

(SANDEEP K. SHINDE)
JUDGE

mahajansb/