

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 858 OF 2021

Shahed s/o Shafeeq Bagwan ...Applicant

Versus

The State of Maharashtra ...Respondent

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WITH
CRIMINAL APPLICATION NO. 2389 OF 2021
IN ANTICIPATORY BAIL APPLICATION NO. 858 OF 2021

Sadanand s/o Dnyanoba Patil ...Applicant

Versus

The State of Maharashtra and another ...Respondents

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Advocate for the Applicant : Mr. N. S. Ghanekar
APP for the Respondent – State : Mr. N. T. Bhagat
Advocate for informant to assist APP : Mr. T. C. Sonwane

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CORAM : PRAKASH D. NAIK, J.

DATE : 13th OCTOBER, 2021

PER COURT :-

1. The applicant is apprehending arrest in C.R.No.I-148/2015 registered with Harsul Police Station, Aurangabad, District Aurangabad for the offence punishable under Section 406 of the Indian Penal Code.

2. The grievance of the complainant is that he is in the business of sale and purchase of vehicle. The accused had visited his office for purchasing Tata Indica Vista Car. There was transaction between the complainant and accused. The accused selected Tata Indica Vista car bearing No.MH-20.BT.8193. He decided to purchase car Rs.2,63,000/-. The original owner of the vehicle was at Katar. The accused was informed that there was loan on the said car with Tata Finance and the instalments of loan will have to be paid. The complainant sold the car to the accused. He did not pay the instalments and sold it to third person.

3. Learned counsel for the applicant submits that during the course of investigation the car was seized, from Shaikh Riyaz to whom the applicant had sold it. The application for return of car was made by the original owner Gorakhnath and the car has been returned to him.

4. The complainant and the applicant had settled the dispute and they have filed settlement deed which is placed on record. In the settlement deed, it is stated that the complainant and accused have decided to settle the dispute and get the proceeding quashed. Both the parties do not

want to proceed with the proceedings.

5. In view of the aforesaid circumstances, the application can be allowed.

ORDER

- (i) Anticipatory Bail Application No. 858/2021 is allowed.
- (ii) In the event of arrest of the applicant in C.R. No. I-148/2015 registered with Harsul Police Station, Aurangabad, District Aurangabad, the applicant be released on bail on executing PR bond in the sum of Rs. 20,000/- (Rupees Twenty Thousand only) with one or more sureties in the like amount.
- (iii) Application stands disposed of.
- (iv) Criminal Application No. 2389/2021 also stands disposed of.

(PRAKASH D. NAIK)
JUDGE

shp/-