

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.1208 OF 2021

1. Dattatraya Rajaram Vanave, &
2. Bhaskar Kashinath Vanave. Applicants
Versus
The State of Maharashtra Respondent

Mr. Aniket Nikam, Advocate i/b. Vivek N. Arote, for the Applicants.
Smt. Veera Shinde, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.
DATE : 21st JUNE, 2021
[Through Video Conferencing]

P.C. :

1. The applicants are seeking anticipatory bail in connection with C.R.No.125/2021 registered at Baramati City Police Station, District Pune on 11.2.2021 under Sections 39 and 45 of the Maharashtra Prevention of Money Lending Act, 2014 and under Sections 504, 506 read with 34 of IPC.
2. Heard Shri Aniket Nikam, learned counsel for the applicants and Smt. Veera Shinde, learned APP for the State.
3. The FIR is lodged by one Bapu Vanave. He has stated that in the year 2015, he was in need of money for the

marriage of his daughter. The informant told both the applicants his difficulty. They, in turn, arranged a meeting between the informant and one Mahadeo Sangle, who gave Rs.5 Lakhs by way of loan to the informant @ 10% per month. Said Mahadeo obtained three blank cheques. The informant had paid the interest upto August, 2015 which amounted to Rs.90,000/-. In spite of that both the applicants approached him. They told the informant that since he was not paying interest regularly he should execute a document giving his one acre of land by way of security. The FIR mentions that the informant had land in Gat No.77 at village Lakadi. It is mentioned in the FIR that the applicant and Mahadeo obtained the informant's signature on two documents on 17.8.2015 and in November, 2015. The documents mention that the informant had sold one acre land each pertaining to these documents to one Manoj Sangle. There are allegations that the applicant Bhaskar took away RC book of his motorcycle on some pretext and did not return it. On 30.10.2020, the applicants, Mahadeo and Manoj approached

the informant giving threats and abuses to him. Therefore, this FIR is lodged.

4. Shri Nikam submitted that the applicants have nothing to do with the loan transaction between the informant and Mahadeo. He submitted that the averments in the FIR are false inasmuch as the sale deeds were not merely signed by the informant but the sale deeds in favour of Manoj Sangle were registered with the Sub-Registrar and the informant had made no grievance since the year 2015.

5. Shri Nikam submitted that taking away of RC book has not affected the informant in any manner and, thus, the allegations are vague and false.

6. Learned A.P.P. submitted that Rs.5 Lakhs were given as loan by Mahadeo and the sale deeds mention the amount of Rs.1,15,000/- each per acre which is quite less which shows that all the accused are hand-in-glove with each other.

7. I have considered these submissions. As rightly submitted by Shri Nikam the loan transaction was between

Mahadeo and the first informant. Both the applicants had merely arranged a meeting between Mahadeo and the informant. Therefore, the Applicants cannot be held responsible for the dispute between Mahadeo and the first informant. The sale deeds are not executed in favour of the applicants.

8. The allegations in respect of RC book are vague and there are no further allegations that the two-wheeler was transferred by any of the applicants in somebody else's name.

9. The allegations pertaining to the sale deeds are that those sale deeds are signed by the informant in the year 2015. However, the informant has not mentioned in the FIR that those sale deeds were registered. The informant had not lodged any protest when the documents were presented at the Sub-Registrar's office.

10. Considering all these factors, the applicants have sufficiently made out a case for anticipatory bail. Their custodial interrogation is not necessary. Hence, the following order :

ORDER

- (i) In the event of their arrest in connection with C.R.No.125/2021 registered with Baramati City Police Station, District Pune, the applicants are directed to be released on bail on their furnishing PR bonds in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) each with one or two sureties each in the like amount.
- (ii) The applicants shall attend the concerned police station as and when called and shall cooperate with the investigation.
- (iii) Anticipatory Bail Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)