

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

**ANTICIPATORY BAIL APPLICATION NO.1287 OF 2022
WITH APPLN/3678/2022 IN ABA/1287/2022**

**KRUSHANA HARIBHAU MARATHE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicants : Mr. Sachin S. Panale
APP for Respondent-State: Mr. V. S. Badakh

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 10th NOVEMBER, 2022

PER COURT :

1. Applicants have purchased land allegedly belonging to first informant, in the year 2013. From investigation papers, it appears that in the year 2003 accused Nos. 1 and 2 i.e. Jain couple had purchased subject land from first informant's family, without obtaining prior permission of the competent authority. The said land is subsequently sold to present applicants for valuable consideration, by-way of registered sale deed. In the FIR, it is alleged by informant that seven accused persons i.e. Jain couple being accused Nos. 1 and 2, present applicants being accused Nos. 3 to 5, Manager of the IDBI Bank who had given loan to present applicants by mortgaging subject land and the then Talathi who had taken mutation entry in the name of accused Nos. 1 & 2, have conspired by forging the documents and informant's family was

deprived of the subject land.

2. On going through the investigation papers, it appears that there is no material against applicants to show their involvement in the alleged offence. It cannot be disputed that applicants have purchased subject land in the year 2013 from accused Nos. 1 & 2 for a valuable consideration of Rs.17,61,000/-, by-way of registered sale deed.

3. Taking into consideration the investigation papers and the fact that there is no material showing involvement of the applicants in the alleged crime, applicants deserve protection. Application is, therefore, allowed in terms of interim order passed by this Court on 26/09/2022.

4. Accordingly, Criminal Application No. 3678/2022, stands disposed of.

(NITIN B. SURYAWANSHI, J.)