

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

26 CRIMINAL APPLICATION NO.2892 OF 2021

GANGARAM SAMBHAJI BELE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

.....
Advocate for Applicant : Mr. Suryawanshi Surendra V.
APP for Respondent-State: Mr. S. D. Ghayal
.....

**CORAM : V. K. JADHAV AND
SANDIPKUMAR. C. MORE, JJ.
DATED : 24th JANUARY, 2022**

PER COURT:-

1. We have heard learned counsel for the applicant for some time.

2. We are not inclined to entertain this application. There is clear evidence about demand and as such there was an attempt to obtain bribe with intention to perform or cause to perform the public duty improperly and dishonestly. The applicant is Talathi and he has demanded certain amount for carrying out the certain corrections in mutation as per the gift deed executed. Initially, when the demand was made, the applicant accused himself took the complainant to co-accused Hamid Kotwal and told him to accept the bribe on his behalf. Even if the raid came to be failed subsequently, however, on the basis of the same, it cannot be inferred that there was no attempt at all and it was merely at initial stage to make demand. It further appears that the conversation between the complainant and the

applicant came to be recorded in the voice recording in presence of the panch witness.

3. In view of the same, this is not a case for quashing of the F.I.R. Criminal application is hereby rejected.

(SANDIPKUMAR. C. MORE, J.)

(V. K. JADHAV, J.)

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