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

ANTICIPATORY BAIL APPLICATION NO.3282 OF 2022

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RAVINDRA BABU PATIL & ANR. ..APPLICANTS
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Mr. K. S. Labana for applicants.
Mr. N. B. Patil, APP for State.
Mr. Pritesh Patil, PSI, Kulgaon Police Station.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 24, 2022.

P.C. :

- 1.** Heard learned counsel for the applicants and learned APP.
- 2.** This is an application for pre-arrest bail in respect of C.R. No.0149 of 2022 registered with Kulgaon Police Station, for the offence punishable under Sections 143, 147, 149, 448, 452, 327, 504 of the Indian Penal Code, 1860 (hereafter "the IPC", for short).
- 3.** It is the case of the complainant that he is the owner of the plot in question where the row house is constructed. It is alleged by the complainant that in 2017 he entered into

the development agreement with Dilip Sahdev Pawar for constructing a row house. Dilip Pawar sold some of the row houses to certain persons, one of them being the applicant. The civil suit came to be filed by the owner whereby the development agreement was cancelled. It is alleged that on 17/09/2022 at around 2.53 p.m. the present applicant along with 8 to 10 persons came to property of the complainant and broke the lock of row houses nos.1, 2, 29 and 30 and put his own lock. When the site supervisor tried to obstruct the unauthorised trespass, they abused him and took away cash of Rs.1,50,000/- and two cheques of Rs.1,00,000/-

4. It is the applicant's case that by a registered agreement of sale dated 07/09/2017 (the same is on record), he had purchased the property which is the subject matter of dispute. The date of incident is 17/09/2022 whereas the FIR came to be registered after a delay on 27/09/2022. The supplementary statement of one Kaushik Bhadrakiya was recorded on 29/09/2022 whereafter Section 327 of the IPC was added. The dispute appears to be a

property dispute and mainly civil in nature. The custodial interrogation of the applicant is not necessary in the facts of the present case. There is a dispute as to the ownership of the row house. The applicant is willing to co-operate with the investigation. There are no criminal antecedents reported against the applicant.

5. Hence, the following order :-

ORDER

- (i) In the event of arrest of the applicants in connection with C. R. No.0149 of 2022 registered with Kulgaon Police Station, for the offence punishable under Sections 143, 147, 149, 448, 452, 327, 504 of the IPC, they shall be released on their furnishing a P.R. bond in the sum of Rs.25,000/- each with one or more sureties in the like amount.
- (ii) The applicants to report to the concerned police station on 28/11/2022, 29/11/2022 and 30/11/2022 between 11.00 a.m. and 01.00 p.m. and thereafter as and when called for.
- (iii) The applicants to co-operate with the Investigating Officer.
- (iv) The applicants should not tamper with the prosecution evidence.

6. Anticipatory Bail Application is disposed of.

(M. S. KARNIK, J.)