

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.809 OF 2022

Mr Shaikh Hamidullah Shaikh Rahmatullah .Vs. State of Maharashtra, through
P.S.O., P.S. Kalamna, Nagpur

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri B.S. Joshi, Advocate for the applicant.

Shri V.A. Thakare, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 12/12/2022

1. Heard.
2. The applicant is seeking pre-arrest bail in Crime No.394 of 2022, registered with Police Station: Kalamna, District: Nagpur, for the offence punishable under Section 420 of the Indian Penal Code.
3. In this crime, the allegation against the applicant is that, he sold out the plot in question to two different persons including the informant. It is further alleged that in the said transaction, the applicant received Rs.26,000/- from the informant.
4. After going through the case diary, *prima facie*, the dispute appears to be of civil nature. Moreover, to show his bonafides, the applicant has deposited Rs.26,000/- before the trial Court.

5. In the circumstances, though the learned APP and the complainant in person, are opposing the present application, I am of the opinion that, custodial interrogation of the applicant is not necessary. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) It is directed that in the event of arrest of the applicant in Crime No.394 of 2022, registered with Police Station: Kalamna, District: Nagpur, for the offence punishable under Section 420 of the Indian Penal Code, the applicant shall be released on bail on furnishing P.R. Bond of Rs.15,000/- with one solvent surety in the like amount.
- c) The applicant shall attend the concerned Police Station as and when his presence is required.

The criminal application is **disposed of** accordingly.

JUDGE