

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

**BAIL APPLICATION NO.546 OF 2023
WITH APPLN/1302/2023**

**SINDHUTAI W/O. DHARAMSINGH CHAVAN AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicants : Mr. Ghanekar Nilesh S.
APP for Respondent/State : Mr. S.P. Sonpawale
Advocate for Complainant : Ms. A.R. Mate

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CORAM : S.G. MEHARE, J.

DATED : MARCH 31, 2023

PER COURT:-

1. Heard learned counsel for the applicants, learned APP for the State and learned counsel for the complainant.
2. It is a matter between the family about the insurance claim after the death of the son of the applicants. As per the agreement, the share of granddaughter was handed over to the applicant being appointee. The allegations have been levelled against the applicants that they have used the said share for their own. Therefore, the report was lodged.
3. The applicants have a case that the amount of share of their granddaughter has been returned. However, learned counsel for the complainant argued that still the amount more than Rs.15 lacs has been misappropriated and the investigation is going on. The another son of the applicants, who is API is monitoring this

investigation. Hence, the complainant has got apprehension of having unfair investigation. Therefore, criminal writ petition to transfer the crime to CID has been filed. Learned APP also opposed the application.

4. The applicants are senior citizens running 65 and 68. It appears that it was a family dispute as regards the use of money of the share of granddaughter by the applicants. After the dispute was raised, huge amount was deposited in the account of mother of granddaughter. It seems that it is a dispute as regards the use of money. The applicants bonafide repaid the money whatsoever allegedly used for them. There appears a dispute over the interest and the money spent on the granddaughter. For that purpose, the Court is of the view that the detention of the applicants is unwarranted. Therefore, they deserve bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicants, Sindhutai w/o Dharamsingh Chavan and Dharamsingh s/o Kanniram Chavan, be released on bail on executing PB. and S.B. of Rs.50,000/- (Rupees fifty thousand) each with one solvent surety in the like amount in connection with Crime No.73 of 2022, registered with Mandvi Police Station, District Nanded for the offence punishable under Section 420, 498-A, 504, 506, 34 of the

(3)

Indian Penal Code, on the conditions that they shall not tamper with the prosecution witnesses.

(iii) The applicants shall attend the concerned police station as and when called on written notice by the investigating officer, till filing the charge sheet.

(iv) Criminal Application No.1302 of 2023 stands disposed of.

(S.G. MEHARE, J.)

Mujaheed//