

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

CRIMINAL APPLICATION NO. 1502 OF 2023
IN
BAIL APPLICATION NO. 933 OF 2022

SWATI W/O VINOD JOGDAND
VERSUS
RAMBHAU WAMANRAO JOGDAND AND ANOTHER

....
Advocate for the applicant : Mr. G.J. Kore
Advocate for respondent No.1 : Mr. S.G. Kawade
A.P.P. for respondent No.2/State : Mr. S. B. Narwade
....

CORAM : S. G. MEHARE, J.

DATE : 17.04.2023

PER COURT :

1. Heard the learned counsel for the applicant and the learned counsel for the accused.
2. The applicant filed an intervention application seeking the preventive and injunctive orders against the present accused/applicant in the application for bail. She sought the directions from this Court against the applicant/ accused, not to sell the machinery embedded in the plots No. A-2 and A-12 of the M.I.D.C. Bhoom. Directions have also been sought that accused to prove his right in civil Court and till then he be prevented from

making any transaction of machinery embedded over the above mentioned plots.

3. The question was raised under what provisions of law, such injunctive and prohibitive orders may be passed in an application under Section 439 of the Cr.P.C, The learned counsel for the applicant had no answer. It seems to be an attempt on the part of the applicant to get the orders from this Court, which this Court cannot grant. It seems that the application is misconceived and misdirected.

4. The learned counsel for the applicant/accused has argued that she is also the president of the society and she ought to have been an accused. Her husband is accused in the present crime. The reasons best known to the prosecution why she has not been arraigned as an accused. This was also not question to be considered in this application.

5. For the above reasons, the application stands dismissed.

(S. G. MEHARE)
JUDGE

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