



order dated 04.11.2023 stands corrected and uploaded in view of the order 06.12.2023 passed on the motion for Speaking to the Minutes of the order.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.3755 OF 2023 IN BA/652/2023

Sandip s/o. Jagannath Patil .. Applicant
(Accused No.2)

Versus

1. The State of Maharashtra
through the Sub-Inspector of Police
Devpur Police Station, Dhule for
C.R.No.0135/2021

2. Dnyaneshwar Ukhadu Patil .. Respondents
(R.No.2/Complainant)

Mr. Hrishikesh V. Tungar, Advocate for Applicant;
Mr. S. P. Tiwari, APP for Respondent No.1/State;
Mr. P. H. Sukale, Advocate for Respondent No.2

CORAM : S. G. MEHARE, J.

DATE : 04-11-2023

PER COURT :-

1. Heard the learned respective counsels for the parties.
2. A conditional bail was granted to the applicant. As per the condition, he was to deposit Rs.25,00,000/- without deducting Rs.2,50,000/- within six months. The applicant had deposited the amount of Rs.4,00,000/- in the Court. The applicant intended to deposit money as per order of this Court by selling his landed property. So, he started searching for the customers. The Investigating Officer had gone a step ahead and wrote a letter to the Sub-Registrar, Dhule that he should be informed if any of the properties of the applicant's family is sold. Therefore, the applicant could not comply with the order in time. The letter dated

05.08.2021 issued by the Investigating Officer was impugned in a Criminal Writ Petition and the said letter has been quashed.

3. The learned counsel for the respondent No.2/complainant opposed the application contending that the applicant has not *bona fide* searched for the purchaser. The applicant failed to comply with the bail condition. Hence, time may not be extended.

4. It appears that an unwanted letter dated 05.08.2021 by the Investigating Officer had created hurdle in compliance with the order. Due to his illegal act, the applicant had approached the Court and filed a Writ Petition. This is a matter of serious concern. Hence, the Superintendent of Police, Dhule is directed to take an appropriate action against Mr. R. G. Mali, Police Sub-Inspector, Deopur Police Station, Dhule, about illegal acts of harassment to the citizens and submit a report of the action taken to this Court within two months from today.

5. The reasons for non-compliance of bail condition were not deliberate but seems to be created by the Investigating Officer. Hence, further six months time is extended to comply with the order dated 22.04.2023 passed in Bail Application No.652 of 2022.

6. In above terms, the application stands disposed of.

(S. G. MEHARE)
JUDGE