



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1120 OF 2024

1. Chandrakant Satish Maheshwari (Toshniwal)
2. Satish Kesharlal Maheshwari (Toshniwal)

VERSUS

The State Of Maharashtra

- Mr. R. F. Totala h/f Mr. V. S. Kabra, Advocate for the Applicants
- Mr. C. V. Bhadane, APP for the Respondent/State
- Mr. N. R. Bhavar, Advocate for the Informant

CORAM : R.M. JOSHI, J

DATE : OCTOBER 09, 2024

PER COURT :

1. When this Court has shown its disinclination to grant relief to Applicant No. 1, learned Counsel for this Applicant, on instructions, seeks leave to withdraw Application to his extent.

2. Application stands dismissed as withdrawn to the extent of Applicant No. 1.

3. Applicant No. 2 apprehends arrest in connection with with C.R. No. 188/2024 registered with Ramanand Police Station, Dist. Jalgaon for the offences punishable under Sections 406, 420 of the Indian Penal Code.

4. The sum and substance of the first information report lodged by the Informant is that Applicant No. 1 had entered into an transaction of agreement to sell in respect of subject property with present Informant and received part consideration towards the same. Later on, it was revealed that there was injunction granted by a Civil Court against Applicant No. 1 restraining him from creating any third party right and interest in the property. Informant, therefore, realized that Applicant No. 1 has cheated him.

5. As far as Applicant No. 2 is concerned, learned Counsel for the Informant, on instructions, makes statement that Informant has no grievance against Applicant No. 2 and accordingly, such statement is made to the investigating officer.

6. Having regard to the said statement and also considering FIR, application to the extent of Applicant No. 2 is allowed by confirming interim order dated 08.07.2024.

(R.M. JOSHI, J.)