



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

9 CRIMINAL WRIT PETITION NO. 485 OF 2025

JIJABAI RAMESH DHIVRE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. Amit S. Savale – Advocate for Petitioner

Mr. D.J. Patil – APP for Respondent No.1, State

Mr. N.L. Choudhari – Advocate for Respondent Nos.2 and 3

...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 15.09.2025

PER COURT :

1. The petitioner has raised an exception to the order dated 03.04.2024 rendered by the learned Chief Judicial Magistrate, Dhule in R.C.C. No.666/2023, endorsed by the Additional Sessions Judge, Dhule in Criminal Misc. Application No.76/2024 dated 17.02.2025, rejecting the application seeking cancellation of bail bonds of respondent Nos.2 and 3.

2. At the instance of petitioner/informant Crime No.722 of 2022 dated 08.12.2022 has been registered with Dhule City Police Station, Dhule, for the offences punishable under Sections 420, 465, 467, 468, 471 and 120(B) of the Indian Penal Code against respondent Nos.2, 3 and other accused persons. The respondent Nos.2 and 3 approached the Sessions Court seeking anticipatory bail was rejected. Subsequently, the

respondents approached this Court, same is also rejected by order dated 14.07.2023.

3. Thereafter, the respondents approached the Hon'ble Supreme Court by filing the Special Leave to Appeal (Crl.) No.9044 of 2023. Perusal of the order dated 07.08.2023 passed by the Hon'ble Supreme Court, which reads as under :

- . Heard Mr. Amol B. Karande, learned counsel appearing for the petitioners. The counsel would submit that Jijabai Ramesh Dhivre (complainant) is the sister of the petitioners and the petitioners are not only willing to give the complainant her share in the ancestral property but the petitioners are also willing to relinquish their own share favouring the sister. The counsel would also refer to the relinquishment deed dated 23.01.2023 (Annexure P-11) in pursuant to which name of the sister – Jijabai Ramesh Dhivre is again incorporated in the Revenue records for the ancestral land.
2. Issue notice for the limited purpose of exploring settlement of this property dispute amongst siblings. The notice is made returnable in four weeks.
3. In the meantime, the petitioners are protected from arrest in connection with the case arising out of FIR No.722 of 2022.

4. Eventually, the Hon'ble Supreme Court disposed of the said Special Leave to Appeal by its order dated 28.11.2023, which reads as under :

“The Counsel submits that in pursuance to the order passed by the High Court and this Court's order dated 07.08.2023, the petitioners have furnished bail bond and they have been

allowed to remain on bail. Accordingly, it is submitted on behalf of the petitioners that further adjudication of this case is unnecessary. Similar is the submission of the learned State Counsel who submit that chargesheet in the case was filed on 21.08.2023.

Noting the above, the proceedings are ordered to be closed.”

5. It is, thereafter, the petitioner/informant approached the Chief Judicial Magistrate, Dhule, seeking cancellation of bail granted to respondent Nos.2 and 3 submitting that, the interim order of protection was not finally confirmed by the Hon’ble Supreme Court and only interim protection was granted to the respondents. Further, it was submitted that the respondents misrepresented the facts and secured bail. As such, prayed for cancellation of the same.

6. The learned Chief Judicial Magistrate, Dhule rejected the application seeking cancellation of bail preferred by the petitioner. The same is confirmed by the Additional Sessions Judge, Dhule. Aggrieved thereof, the petitioner has approached this Court.

7. The only contention raised by the petitioner is that the respondents herein have not executed relinquishment deed resulting into misrepresentation, therefore, appropriate action including cancellation of bail deserves to be initiated against the respondents.

8. *Per contra*, learned A.P.P. and learned Counsel appearing for

respondent Nos.2 and 3 have supported the order under challenge.

9. Perusal of the order dated 07.08.2023 passed by the Hon'ble Supreme Court indicates that the interim protection was granted from arrest of the respondents in connection with Crime No.722 of 2022 and subsequently, the Special Leave to Appeal is disposed of.

10. In the light of the aforesaid peculiar facts and circumstances, no further consideration by this Court is warranted. Accordingly, the Writ Petition stands disposed of.

[SACHIN S. DESHMUKH]
JUDGE

Pooja Kale/