



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 573 OF 2025

Thirupathirao Nagayya Panga Vs State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. R.M. Tahaliyani, counsel with Ms. Ragini Karni Swami, counsel for applicant.
Ms. M.A.Barbde, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 21/08/2025.

1. Apprehending the arrest at the hands of police in connection with Crime No.481/2025 registered with Police Station Ramnagar, Chandrapur, District Chandrapur for the offence punishable under Sections 316(2), 316(5), 318(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, the applicant approached this court for grant of pre-arrest bail.

2. The crime is registered on the basis of a report lodged by Rajeshwari Dudhe on an allegation that when she was a minor, four plots were purchased by her through her guardian i.e. her grandmother, in the year 2008 from the present applicant. The said sale-deeds were undisputedly executed by the applicant through a Power of Attorney, who has executed sale-deeds of other plots allottees as well. She further stated that again the present applicant has sold the said four

plots to the 3rd parties in the year 2025 between 15/01/2025 to 21/01/2025 and thus she is duped by the present applicant.

3. Learned Counsel for the applicant submitted that as the plots were shown in his name and the tax was demanded. Accordingly, under the bonafide intention, he has deposited the tax amount, and under the said impression, he has sold the said plots, but as far as the mistake was brought to his notice, he immediately cancelled the said sale-deeds, which were executed by him in favour of the other purchasers. Thus, there was no intention to commit the offence or to dupe the present informant. As far as the custodial interrogation is concerned which is not required. In view of that, he be released on anticipatory bail.

4. Learned APP strongly opposed the application and submitted that selling of the plots in favour of the other persons when those plots are already sold in favour of the complainant is sufficient to show the intention of the present applicant. She further submitted that though applicant has attended the concerned police station, he has not placed the copy of sale-deed, which is in his possession. In view of that, the application deserves to be rejected.

5. On hearing both sides and on perusal of the investigation papers, it reveals that the applicant has immediately cancelled the sale-deed. Thus, the

intention of the applicant appears to be not to cheat the informant. As far as the custodial interrogation is concerned, which is not required. The applicant has already attended the concerned police station. The applicant shall place the certified copy of the sale-deed before the investigating officer for the investigation purpose. In view of that, I proceed to pass the following order.

ORDER

- a] The criminal application is allowed.
- b] The interim protection granted to the present applicant by order dated 05/08/2025 is hereby confirmed on the condition that the applicant shall attend the concerned police station as and when required for the investigation purpose on issuance of notice in advance of three days and shall cooperate with the investigating agency till filing of the charge-sheet.
- c] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.
- d] The applicant shall furnish his cell phone number and address with address proof before the investigating agency.

- e] The contravention of any of the conditions would lead to the cancellation of bail.
6. The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]