

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) No. 627 of 2013

**(Satish S/o Purushottam Chakor Vs. State of Mah. through PSO, P. S.
Gadchandur, Tah. Korpana, Dist. Chandrapur)**

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders

Court's or Judge's order

Shri Y. B. Mandpe, Advocate h/f Shri H. N. Potbhare,
Advocate for the applicant
Mrs. K. R. Deshpande, APP for the non-applicant

CORAM : PRASANNA. B. VARALE, J.

DATE : DECEMBER 23, 2013.

Heard.

The applicant is before this Court seeking protection in the nature of pre-arrest bail in connection with Crime No. 157/2013 registered at Police Station, Gadchandur, Tah. Korpana, District Chandrapur for the offences punishable under Sections 307, 452 of IPC.

Learned counsel Shri Mandpe appearing for the applicant vehemently submitted that the report lodged against the applicant is nothing but a counter blast to a report lodged against the so called victim of the incident. Mr. Mandpe further

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submitted that the report is an exaggerated version only to suit the oblique motive. He further submits that considering the injuries received by the victim and the fact that the victim was immediately discharged from the hospital, it can be seen that it is a designed attempt to implicate the applicant. On the backdrop of this fact, the learned counsel Shri Mandpe submitted that the applicant, who is serving in a private company, be protected by allowing the present application.

Learned APP opposed the application. She made available the papers of investigation. The report lodged against the victim at the instance of a lady i.e. sister of the present applicant, perusal of which, shows that allegations are of misbehaviour. Perusal of the report lodged against the present applicant shows that the applicant entered in the victim's house, gave three successive blows to the victim. Perusal of

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the material further show that the victim received three injuries to the vital parts of the body, such as, left side lower chest, 3 cm below chin over neck and on mandibulous joint. The Medical Officer opines that the injuries are caused by sharp objects. The material further shows that the statements of the witnesses were recorded by the investigating agency. The statement of the neighbour supports the case of the prosecution in respect of entering the applicant in the house of the victim and picking up a quarrel and gave blows with the weapon knife. The learned APP was justified on account of injuries caused by the victim and on account of specific allegation against the applicant by use of dangerous weapon such as knife, the applicant gave successive blows to the victim and as such, the investigating agency will have to conduct the investigation by exploring various aspects such as seizure of weapon used in commission of offence

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and for this purpose, the custodial interrogation of the applicant is must and necessary. Considering all these aspect, this is not a fit case to allow the application. Hence, the application stands rejected.

Needless to say that interim protection granted by this Court stands revoked.

JUDGE

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