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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.201 OF 2015

Sharad Kantilal Chaudhari
Age-40 years, Occ-Business
R/o Chaini Road, Lane No.5,
Dhule, Taluka and District-Dhule

APPLICANT

VERSUS

The State of Maharashtra

RESPONDENT

.....

Mr. A. S. Sawant, Advocate for the applicant
Mrs. M. A. Deshpande, APP for respondent State

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[CORAM : T.V.NALAWADE, J.]

DATE: 30th JANUARY, 2015

ORDER:

1. This application is filed for the relief of anticipatory bail. Both the sides are heard. Perused the papers of investigation.
2. The crime is registered on the basis of report given by one Sunil Mali. According to him, the incident took place on 15.10.2014 at about 11.30 a.m. It was the day of polling. Allegations are made that on that day, at the time of the incident, present applicant showed revolver, gave threats of life and he would have certainly fired bullet to finish the

complainant. He has taken name of the present applicant and his associates and the crime is registered for the offence punishable u/s 307, 504 and 506 of Indian Penal Code and u/s 3/25 of the Arms Act.

3. Learned advocate for the applicant has produced copy of NC registered on 15.10.2014 itself. This NC was registered on the basis of report given by the complainant Sunil Mali himself in respect of the same incident stating that a quarrel had taken place wherein abuses were given by the applicant and only threat of life was given. There was no allegation of use of revolver by the applicant. Second report came to be given after about one month of the previous report.

4. It appears that the polling took place on 15.10.2014 and the results came out on 19.10.2014. The candidate of the side of the complainant got elected, as per the submissions made by the learned advocate for the applicant. He submitted that as the other side came in power, the crime came to be registered by taking one more report of the same complainant and the allegations are false.

5. In view of aforesaid circumstances, this Court holds that protection needs to be given to the applicant.

6. In the result, the application is allowed. Interim protection granted in favour of the applicant is confirmed. The applicant to visit the concerned police station on every Sunday between 9.00 am and 12.00 noon for one month and he has to cooperate during the police investigation.

[T.V.NALAWADE, J.]

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