

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.1504 OF 2015

Manoj Pandurang Salokhe & Anr.

...Applicants

Versus

The State of Maharashtra

...Respondents

.....

Mr. Amarendra Mishra for the Applicants.

Ms Veera Shinde, APP for the Respondent -State.

Mr. V.D. Patil, P. I. 1152, Murgud Police Station Kolhapur.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 2nd DECEMBER, 2015.

P. C. :

This is an application for anticipatory bail filed by the aforesaid Applicants in apprehension of their arrest in C.R. No.48 of 2015 registered at Murgud Police Station, Kolhapur, for the offences punishable under sections 307, 324 r/w. section 34 of the IPC.

2. Mr. Amarendra Mishra, the learned counsel for the Applicants submitted that the Applicants had lodged a complaint against the complainant and his family members for assaulting them and causing them grievous injury. Pursuant to the said complaint crime No.49 of 2015 has been registered against the complainant. He

has further submitted that the Applicants are not involved in commission of the crime and that their presence is not required for custodial interrogation.

3. The learned APP submits that the Applicants are involved in inflicting serious injuries on the complainant and others. She has further submitted that there are criminal antecedents and that the Applicants are not cooperating with the investigation.

4. I have perused the records and considered the submissions advanced by the learned counsel for the Applicants and the learned APP for the Respondent-State.

5. The records reveal that the relations between the Applicants and the complainant herein have been strained since last several years. The records prima facie reveal that on 5.7.2015 at about 8.00 p.m. there was a quarrel between the family members of the Applicants and the family members of the complainant. This led to the incident of assault in which the members of both the groups were injured. Accordingly a complaint and a cross complaint have been filed in respect of the said incident dated 5th July, 2015. The records prima facie reveal that the injuries sustained by the complainant and his son

are not serious as to cause death. Considering the above facts and circumstances, this is not a case which would justify custodial interrogation. Furthermore, it is submitted that the Applicant No.1 is suffering from paralytic stroke and is bed-ridden. The learned APP has stated that the Applicant No.1 has already been interrogated, hence, his presence is not required for further interrogation.

6. Under the circumstances, the anticipatory bail application is allowed on the following terms and conditions:-

(i) In the event of arrest of the Applicants in C.R. No.48 of 2015 registered at Murgud Police Station, Kolhapur, the Applicants shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand only) each with one or two sureties in the like amount to the satisfaction of Sessions Judge, Kolhapur.

(ii) The Applicant No.2 shall report to the investigating officer initially for eight days from 10.00 a.m. to 1.00 p.m. and thereafter as and when required by the investigating officer for the purpose of interrogation.

(iii) The Applicants shall not interfere with the complainant, his family members and other witnesses in any manner.

(ANUJA PRABHUDESSAI, J.)