

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.646 OF 2014

Pradnya Santosh Shirsat

... Applicant/Original
complainant

Vs.

The State of Maharashtra & Ors.

... Respondents

Mr.Naveen R. Chomal for the Applicant

Ms.Veera Shinde, APP, for Respondent – State

Mr.Prakash Naik i/b S.M. Sabrad for Resp. Nos.2 to 4

Mr.Pawan Mali i/b Ganesh Bhujbal for Resp. No.5

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: JULY 14, 2015

P.C.:

1. The application is made for cancellation of the pre-arrest bail granted on 8.8.2014 by the learned Additional Sessions Judge, Sindhudurg in Anticipatory Bail Application No.99 of 2014. The respondents/accused are facing prosecution under sections 395, 143, 144, 147, 452, 354(c), 323, 506 of the Indian Penal Code and under section 20(3) of the Arms Act in C.R. No.17 of 2014 registered with Banda police station, Tal.Sawantwadi, Dist.Sindhudurg.

2. The learned Counsel for the applicant i.e., the original complainant, submitted that the applicant was publicly paraded naked in the presence

of 4 to 5 persons by the accused and the police tried to suppress the real facts from the Court. So also, the applicant/accused has obtained the order of pre-arrest bail by playing fraud on the Court. He submitted that the accused have committed various offences and their pre-arrest bail be cancelled.

3. The respondent-State has not filed any application challenging the order of pre-arrest bail granted by the learned Sessions Judge.

4. Mr.Naik, appearing for the respondents/accused, supported the order passed by the learned Sessions Judge, Nashik.

5. I have perused the FIR of the complainant and also the order dated 8.8.2014 of the learned Sessions Judge, Oros, Sindhudurg, by which the learned Judge has granted pre-arrest bail to the respondents/accused. The learned Judge has mentioned that on 21.7.2014 i.e., on the date of the incident, one of the accused i.e., respondent No.4 submitted a complaint that one Anil Kumar and other 15 to 20 persons assaulted the servants of one of the accused and threatened him. There is a dispute in respect of the land between the respondents/accused and the employer of the informant.

6. After going through the said order, I find that the learned Judge has considered all the aspects and in my view, the order is well reasoned and it cannot be faulted with. It does not require any interference.

7. Hence, the application is rejected.

(MRS.MRIDULA BHATKAR, J.)