

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE – CRIMINAL
BAIL APPLICATION NO.407 OF 2015

Amit Ramdiya Ghechand Applicant
Vs.
State of Maharashtra Respondent

Mr. Vaibhav Karnik for the Applicant.
Ms Rutuja Ambekar, APP, for the Respondent-
State.

CORAM: REVATI MOHITE DERE, J.

DATED: MARCH 30, 2015

P.C:

1. Heard the learned counsel for the
applicant and the learned APP for the
respondent-State.

2. By this application, the applicant
seeks his enlargement on bail in connection
with C.R. No.118 of 2014, registered with the
B.K.C. Police Station for the alleged offences
punishable under Sections 307, 506(II) and 504

of the IPC.

3. The incident in question has taken place on 15-6-2014, at about 6:30 p.m.. The complaint has been lodged by the brother of the injured, Sanjay Ramesh Tak. The first informant is also an eye-witness to the said incident. The injured Sanjay, in his statement dated 17-6-2014, has stated that he was having relations with the wife of the applicant and that both of them had run away. Thereafter, on a missing complaint lodged by the applicant, the injured Sanjay and the applicant's wife were traced by the police and the matter was amicably settled between the parties. It is alleged by the injured-Sanjay that pursuant to the said incident, the applicant had threatened and abused him. On 15-6-2014, it is alleged that when he was playing cricket, the present applicant came and stabbed him in the abdomen

and when the applicant was about to stab him the second time, his friends came, pursuant to which the applicant ran away.

4. The learned counsel for the applicant submitted that pursuant to the previous NCs which were lodged by the applicant's wife, as against Sanjay Tak, as well as the complaint lodged by the applicant, with the police, as against Sanjay Tak, the present applicant has been falsely implicated in the said case.

5. The learned APP opposed the bail application.

6. Perused the charge-sheet and the statements of the complainant, the injured Sanjay Tak and the injury certificate. It appears that the injured Sanjay Tak had suffered a stab wound of 5 x 1 cm in size

approximately & bowel content – terminal ileum, caecum and ascending colon coming out with traumatic perforation over caecum. There are statements of eye-witnesses, who were present at the spot, which corroborate the statement of the complainant and the injured.

7. The learned APP submits, that apart from the present case, the applicant was involved in two cases and as such has antecedent, i.e. C.R. No.175/2007 and C.R. No.124 of 2009.

8. Considering the material on record, this is not a fit case to enlarge the applicant on bail. The application is rejected. However, the trial of the applicant is expedited. The application is accordingly disposed of.

(REVATI MOHITE DERE, J.)