

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 289 OF 2015

Akshay Dilliware	Applicant
V/s.	
The State of Maharashtra	Respondent

AND
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 290 OF 2015

Pratik Vijay Bandi	Applicant
V/s.	
The State of Maharashtra	Respondent

Mr. V. V. Mohite for Applicants
Mr. J. H. Ramugade APP for the State in ABA 289 of 2015
Mr. S. S. Pednekar APP for the State in ABA 290 of 2015

CORAM : SMT. SADHANA S. JADHAV, J.
DATED : FEBRUARY 26, 2015

PC :

1) Heard. This is an application under section 438 of Code of Criminal Procedure, 1973. Applicants herein are apprehending their arrest in crime no. 29 of 2015 registered at Deccan Police Station, Pune for offence punishable under section 326 r/w 34 of Indian Penal Code.

2) It is the case of prosecution that on 07/02/2015, students of Sinhgad College of Business were celebrating the traditional day. At that time,

ism

applicant in Criminal Application No. 290 of 2015 who happens to be student of S.P. College, Pune had been to Sinhgad College. At that time, there was some scuffle over a trifling issue. It is alleged that applicant started abusing the complainant. In the course of verbal altercation, applicant had allegedly removed a sickle which he had concealed in his pant packet and had assault the complainant. At that time, Sidhant & Prateek had assaulted the complainant, threatened him of dire consequences and fled away. The name of the applicant in Criminal Application No. 289 of 2015 does not find place in the F.I.R.

3) Perused papers, complainant had sustained CLW over Vertex area 4 X 1 c.m. square bone deep and superficial CLW over right arm. He was admitted in Sanjeevani Hospital. On 08/02/2015, Jayprakash Karad given a written application to senior P.I. of Deccan Police Station and informed that his son was assaulted by Sidhant Pisal and 6 – 7 others. It is further alleged that thereafter, Sidhant had taken the help of anti social elements like Prateek Bandi, Akshay Dilliwalla who are applicants before this Court.

4) Prima facie it appears there was scuffle between the students of two colleges over a trifling issue. Custodial interrogation of the young boys would put a stigma on their future career. Incident has occurred on the spur of moment without any premeditation. In view of this, applicants deserve pre-arrest bail. It is made clear that observations made herein above are prima facie in nature and shall not be considered for quashing of F.I.R., discharge application or at the time of trial.

ORDER

- (i) Applications are allowed.
- (ii) In the event of arrest, applicants be enlarged on bail on furnishing P. R. bond in the sum of Rs. 15,000/- each and one or two sureties in the like amount.
- (iii) Applicants shall report to Deccan Police Station, Pune on four consecutive Sundays, commencing from 01/03/2015 between 10.00 am to 12.00 noon.

Applications stand disposed of.

(SMT. SADHANA S. JADHAV, J.)