

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.370 OF 2015

Harshal Suresh Chavan ... Applicant

Vs.

The State of Maharashtra ... Respondent

Mr.P.B. Kulkarni for the Applicant

Mr.Arfa Sait, APP, for Respondent – State

Mr.N.S. Ayalane, API, MIDC Police station – Solapur City present

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **MARCH 23, 2014**

P.C.:

1. The application is moved for pre-arrest bail as the applicant/accused is prosecuted for the offences under sections 452, 324, 323, 504, 506 r/w 34 of the Indian Penal Code in C.R. No.146 of 2014 registered with the MIDC police station, Solapur. One Sandip Pralhad Chavan, a cousin of the applicant/accused, informed about the assault to the police on 7.8.2014. The incident of assault has taken place on 6.8.2014 at the residence of the complainant. There was a dispute between the complainant and the applicant/accused as to who will take care of their grandfather. The applicant/accused is the real cousin, who assaulted his cousin with fists and blows and also with knife.

2. The learned Counsel for the applicant/accused submitted that the applicant is 22 years of age and he is ready to take care of his grandfather and there are no antecedents. He further submitted that the applicant/accused will strictly abide by the conditions, to be imposed by this Court, if he is released on bail.

3. The learned Prosecutor opposed the application.

4. It is a sad incident that the applicant/accused has assaulted the complainant and others. The complainant is a cousin brother of the applicant/accused, who did not want to take care of his grandfather.

5. Considering the nature of the injury and section 452 which is the only non-bailable section invoked against the applicant/accused, the application is allowed on the following terms:

- i) In the event of arrest, the applicant/accused shall be released on bail upon furnishing P.R. Bond in the sum of Rs.15,000/-, with one or two sureties in the like amount;
- ii) The applicant shall not tamper with the evidence;
- iii) The applicant shall not indulge into any kind of offence while on bail and especially not to fight against his cousins and shall take care of his grandfather;

iv) The applicant shall cooperate with the Investigating Officer and attend the concerned police station on two dates i.e., 26th March, 2015 and 31st March, 2015, between 4pm to 6pm.

(MRS.MRIDULA BHATKAR, J.)