

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

**BAIL APPLICATION NO. 1297 OF 2015
WITH
CRIMINAL APPLICATION NO. 640 OF 2015 IN B.A. NO. 1297 OF 2015**

Shrikant Duttaprasad Jadhav	... Applicant
Vs.	
The State of Maharashtra	... Respondent
And	
Nilesh Nivruti Rupvate	... Applicant/Intervener

Mr. Ganesh Gole i/b. Mr. Akash R. Bhalchim, Advocate for the applicant.
Mr. S.S. Pednekar, APP for the State.
Mrs. Prabha U. Badadare, Advocate for the applicant/intervener.
I.O. Mr.Kenge, PN/1691, Ozar Police Station present.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE : **AUGUST 5, 2015**

P.C.:

Criminal Application No. 640 of 2015 filed by the original complainant for intervention is allowed.

2. Criminal Application No. 1297 of 2015 is moved for bail, as the applicant/accused is prosecuted for the offences punishable under sections 307, 326, 143, 147, 148, 149, 504 and 506 of the Indian Penal Code and under section 37(1)(3) r/w. section 135 of the Bombay Police Act in C.R. No. I-53 of 2015 registered with Ozar Police Station, District Nashik. The incident of assault has taken place on 21st April, 2015.

3. It is the case of the prosecution that complainant Nilesh Nivrutti Rupvate was having dinner with Sharad Jadhav and his family members,

at that time, mob of 10 to 15 people arrived there and they were armed with weapons. Out of them, three persons were identified and applicant/accused was one of them. They assaulted the complainant and other persons and told them that they wanted to teach a lesson in Village Panchayat Election. The complainant got incised wound in the chest. The applicant/accused was arrested on 9th May, 2015 and since then he is in prison. Hence, this Bail Application.

4. The learned counsel for the applicant/accused submitted that the incident has taken place due to political rivalry and misunderstanding. Under the guidance of elderly members from the community, the complainant and associates of applicant/accused have decided to settle the matter amicably.

5. The learned counsel for the intervener confirms that the complainant has no grievance against the applicant/accused and the parties have decided to settle the matter. The learned counsel has no objection if at all the applicant/accused is released on bail.

6. Learned APP though opposed the Application, but on query, he confirms that there is no criminal antecedent against the applicant/accused.

7. Perused the FIR, documents on record and also the submissions made by the learned counsel for the parties. As the parties have decided

to settle the matter and there is no criminal antecedent against the applicant/accused, I am inclined to grant bail to the applicant/accused on the following terms and conditions:

ORDER

- i) The applicant shall be released on bail upon furnishing P.R. Bond in the sum of Rs.20,000/- with one or two sureties in the like amount;
- ii) The applicant shall not tamper with the evidence and shall not pressurize the complainant and other witnesses.
- iii) The applicant shall not indulge into any kind of offence while on bail.
- iv) The applicant shall make himself available and attend all Court dates;
- v) The applicant shall not abscond and furnish his address to the police along with address proof.
- vi) Violation of any of the conditions imposed shall amount to cancellation of bail forthwith.
- vii) The applicant shall not leave India without the prior permission of the Court.

8. The Application stands disposed of on above terms.

(MRS.MRIDULA BHATKAR, J.)