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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.1531 OF 2015**

Ganesh Tulsidas Lingappa

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.V.K. Rathod, for the Applicant

Mr. Y. M. Nakhwa, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 22nd SEPTEMBER, 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 452 of 2014 registered with the Goregaon Police Station, Mumbai, for the alleged offences punishable under Sections 307, 504 of the Indian Penal Code and under Sections 37(1)(a) with 135 of the Maharashtra Police Act.
3. The complainant is one Kavita Ravi Gechand. She has stated that the applicant was working in the same company where she was

working and that the relations between the two were good. She has alleged that when she realized that the applicant was getting close to her, she started maintaining a distance from him. She has alleged that on 10th November, 2014, at about 5.00 p.m. when she left her office, the applicant intercepted her and asked her why she was not talking with him. She has alleged that at that time the applicant pulled out a knife and abused and assaulted her with the knife on her throat, breast, hand, stomach and knee. Pursuant to the said incident, the complainant was admitted to the Hospital and was discharged from the hospital after three days.

4. Learned Counsel for the Applicant submits that the incident had occurred on the spur of moment ; and that the applicant was a young boy, aged 24 years. He submitted that the applicant is languishing in jail for the last eleven months and that he be given a chance to reform himself.

5. Learned APP opposed the bail application.

6. Perused the papers. *Prima-facie*, it appears that the applicant had carried a knife with the intention to assault the complainant. The

complainant's allegation of assault by the applicant on her throat, breast, hand, stomach and knee is consistent with the injury certificate. Merely, because the complainant was discharged within three days and the applicant is a young boy, aged 24 years, is not a ground to enlarge the applicant on bail.

7. Considering the nature of allegations and the facts of the present case, the Application for bail is rejected and disposed of as such. However, the trial is expedited.

8. Needless to observe, that the trial court shall decide the case on its own merits uninfluenced by the observations made in this order.

9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.

CERTIFICATE

*Certified to be true and correct copy of the original signed
Judgment/order.*
