

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.1547 OF 2015

Siddhesh Balasaheb Lokhande

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. Uday B. Nighot for the Applicant.

Mr. Y.M. Nakhwa, APP for the Respondent -State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 23rd NOVEMBER, 2015.

P. C. :

This is an application for anticipatory bail filed by the Applicant herein in apprehension of his arrest in Crime No.118 of 2015 registered with Junnar police station, Pune, for the offences punishable under sections 326, 325, 323, 504, 506 r/w. 34 of the IPC.

2. Heard the learned counsel for the Applicant and the learned APP for the Respondent-State.

3. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

4. The records prima facie reveal that the Applicant is the nephew of the complainant. Father of the Applicant herein had taken loan in the name of the husband of the complainant. There was dispute between the complainant and the family members of the Applicant herein over cultivation of paddy field due to non payment of the said loan. The complainant has alleged that on 27th August, 2015 at about 12.00 noon when she had objected to the Applicant and his family members cultivating paddy field without repaying the loan, the Applicant and his family members had assaulted her. She had stated that the Applicant herein had hit her with a stone on her chest. The medical record prima facie reveals that the complainant sustained grievous injuries. Thus, there is prima facie material to show the involvement of the Applicant in the said crime. Nonetheless, the record reveals that the Applicant is a 19 years old boy and he is doing 2nd year Diploma course in Sharadchandra Pawar Engineering and Technology College at Otur, Taluka-Junnar, Dist.-Pune. Considering the age of the Applicant, in my considered view, detaining him in custody can bring him in contact with hardened criminals and this would not be in the interest of the Applicant. Moreover, records do not prima facie reveal that the incident was pre- meditated, but indicates that the incident had occurred on the spur of the moment over previously

existing dispute. The Applicant is a permanent resident of Golegaon, Taluka-Junnar, District -Pune, and there is no possibility of the Applicant absconding or fleeing from the course of justice. Considering all these above facts, in my considered view the anticipatory bail application is allowed on the following terms and conditions :

(i) In the event of arrest of the Applicant in Crime No.118 of 2015 registered with Junnar police station, Pune, the Applicant be released on bail bond of Rs.20,000/- (Rupees Twenty Thousand Only) with one surety in the like amount to the satisfaction of Additional Sessions Judge, Khed, Rajgurunagar.

(ii) The Applicant to report to the Investigating Officer for four days between 10.00 a.m. to 1.00 p.m. and further as and when required by the Investigating Officer for the purpose of investigation and interrogation.

(iii) The Applicant shall cooperate in the investigation and shall not interfere with the complainant and tamper with the evidence in any manner.

(ANUJA PRABHUDESSAI, J.)