

Aslam Shaikh ...Applicant
vs.
State of Maharashtra ...Respondent

Mr. Ganesh Gole i/b. Rashmi Gagwani, Advocate
for the Applicant.
Mr. S.H. Yadav, APP for the State.
Mr. Ganesh Bhujbal, Advocate for the
Intervener.
PSI. Babar, Bhandup police station present.

DATE : JANUARY 05, 2015

. For the detail reasons recorded in the order dated 10-12-2014 my predecessor has granted ad-interim pre arrest bail in favour of the applicant in connection with C.R. No. 418 of 2014 registered with Bhandup police station, Mumbai for the offence punishable under Section 326 read with Section 34 of Indian Penal Code.

2. In spite of notice of the application being served upon the prosecution, the prosecution has not filed say. Upon query, the learned counsel for the complainant has fairly submitted that the injured has been discharged after 10 days of hospitalization.

3. Having regard to it and having regard to the role allegedly played by the applicant i.e. holding the victim while co-accused juvenile in conflict with law attacked him with knife, it is difficult to perceive of there being any imperative need of custodial interrogation of the applicant for completion of the investigation. Perusal of the papers of investigation also do not reveal any such necessity.

4. Resultantly, the application is allowed. The ad-interim direction given by my predecessor is hereby confirmed on earlier terms and conditions.

5. In view of the disposal of the main application, intervention application also stands disposed of.

(P.D. KODE, J.)