

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (ABA) NO.249/2015

(Mohammad Rafik s/o Abdul Aziz Sutriya ..vs.. State of Maharashtra, through
PSO/In-charge, P. S. Ramnagar, Gondia)

AND

CRIMINAL APPLICATION (BA) NO.367/2015

(Ganesh Tulsiram Nagrikar and ors. ..vs.. State of Maharashtra, through PSO, P. S.
Ramnagar, Gondia)

AND

CRIMINAL APPLICATION (BA) NO.368/2015

(Pawan Brijlal Banewar and anr. ..vs.. State of Maharashtra, through PSO, P. S.
Ramnagar, Gondia)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. S. Zia Qazi, R.J.Mirza, Advocates for applicant in ABA
No.249/2015
Mr. P. R. Puri, Advocate for applicants in BA No.367/15 &
368/2015
Mr. Laddhad, A.P.P. for non applicant-State..

CORAM : A.B. CHAUDHARI, J.

DATE : JULY 1, 2015.

Heard learned counsel for rival parties.

All these applicants are prosecuted in
Crime No.37/2015 registered with Police Station,
Ramnagar, Gondia for an offence punishable under
Section 329, 143, 144, 147, 148, 149 of the IPC. I
have perused the FIR so also the injury reports shown
to me by the learned A.P.P.

Undoubtedly, there is injury on the head
of the victim caused by means of iron pipe but then

there is no evidence of causing grievous hurt. Looking to the background of the quarrel that took place and from the bare reading of the FIR prima facie, I do not find that any serious offence like Section 329 of the IPC is made out. Hence, I pass the following order.

ORDER

(i) Criminal Application Nos.249/2015, 367/2015 and 368/2015 are allowed.

(ii) Interim order passed by this Court in Criminal Application (ABA) No.249/2015 on 26.05.2015 is confirmed.

(iii) Applicant no.1-Ganesh Tulsiram Nagrikar, applicant no.2-Gopal Rajesh Chopkar, applicant no.3-Anil Rajaram Tekam, applicant no.4-Mahesh Shriram Madankar in Criminal Application No.367/2015 and applicant no.1-Pawan Brijlal Banewar, applicant no.2-Ashish Surendra Lade in Criminal Application No.368/2015 shall be released on bail on their executing PR Bond in the sum of Rs.20,000/- each with one surety each in the like amount.

(iv) The applicants shall not tamper with the evidence and shall not influence the witnesses.

(v) The applicants shall report to Police Station, Ramnagar, Dist. Gondia on last Sunday of every month between 11.00 a.m and 01.00 p.m. and cooperate with the Investigating Officer.

JUDGE

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