

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1676 OF 2016

1. Arjun s/o Tukaram Kawale,
Age : 45 years, Occu. Agri.,
R/o Saygaon, Tq. Paithan,
District Aurangabad
2. Sunil s/o Arjun Kawale,
Age : 22 years, Occu. Agri.
And Education, R/o Saygaon,
Tq. Paithan, Dist. Aurangabad
3. Kamalbai w/o Arjun Kawale,
Age : 40 years, Occu. Agri.,
R/o Saygaon, Tq. Paithan,
District Aurangabad

APPLICANTS

VERSUS

The State of Maharashtra,
through Police Station,
Paithan, Dist. Aurangabad

RESPONDENT

Mr. K.N. Patel and Mr. F.B. Pathan, Advocates for the
applicants

Mr. M.B. Bharaswadkar, A.P.P. for the respondent-State

CORAM : M.T. JOSHI, J.

DATE : 04/04/2016

ORAL ORDER :

1. Heard both sides.
2. The present applicants, who are apprehending
their arrest at the hands of Paithan Police Station,

District Aurangabad in Crime No. 0089/2016, registered for the offences punishable under section 326, 325, 323, 504, 506 read with section 34 of the Indian Penal Code, are praying for their release on bail in the event of their arrest.

3. Upon hearing, learned counsel for the applicants, on instructions from the applicants, submits that the applicants do not wish to press the application so far as applicant No. 1 Arjun Tukaram Kawale and applicant No. 2 Sunil s/o Arjun Kawale are concerned and they be allowed to withdraw the application to the extent of these two applicants. However, the ad-interim anticipatory bail granted earlier to applicant No. 3 Kamalbai may be made absolute.

4. The complaint filed by victim – Bhimrao Tukaram Kawale would show that over an issue of ownership of a plot, the incident has occurred. In the incident, the present applicant No. 3 Kamalbai is alleged to have manhandled the wife of the complainant while serious injuries are allegedly caused by the present applicants No. 1 and 2.

5. Upon hearing both sides and considering the role of applicant No. 3 Kamalbai alleged to have been played by her in the incident and finding that she is a woman, interim protection granted to her by this Court vide order dated 18th March, 2016 is hereby made absolute on the same terms and conditions. The present application to her extent is accordingly allowed and disposed of.

6. The present application as regards applicant No. 1 Arjun and applicant No. 2 Sunil stands disposed of as withdrawn. The interim protection granted earlier by this Court to applicant No.2 Sunil vide order dated 18th March, 2016 on the ground that at that time, he was appearing for the examination, stands vacated.

7. The present application accordingly stands disposed of.

[M.T. JOSHI]
JUDGE