

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AURANGABAD

CRIMINAL APPLICATION NO. 1783 OF 2016

Ananda s/o Baburao Chothe

...Applicant

VERSUS

The State of Maharashtra

...Respondent

.....
Shri V.P.Kadam, advocate for applicant
Shri U.S.Mote, A.P.P. for respondent/State
Shri S.S.Bhise, advocate to assist P.P.
.....

CORAM : INDIRA K.JAIN, J.

DATED : 27th April, 2016

ORDER :

Applicant apprehends his arrest in Crime No. 9 of 2016 registered at Varangaon police station, Taluka Bhusawal, District Jalgaon for the offences punishable under Sections 307, 326, 504, 506-II of the Indian Penal Code and so he filed this application for pre-arrest bail.

2] Heard Shri V.P.Kadam, learned counsel for applicant and Shri U.S.Mote, learned A.P.P. for respondent/State. Perused papers of investigation.

3] It is the case of complainant that wife of applicant had extra marital relations with him. When applicant came to know about the relations of his wife and complainant and saw them in

compromising position he assaulted complainant with knife due to which he sustained grievous injuries. He was admitted to hospital at Bhusawal. On 2.2.2016 report of the incident was lodged with the police.

4] It can be seen from first information report that incident took place on 5.12.2015. Discharge card shows that complainant was in the hospital till 17.12.2015. There is considerable delay in lodging first information report which has not been explained by the complainant.

5] Another important factor is that initially first information report was filed by wife of applicant against the complainant for offences punishable under Sections 376, 511, 323, 506 of the Indian Penal Code on 6.12.2015.

6] In the above premise, this Court finds it fit to grant protection to the applicant. Hence the following order.

ORDER

(i) Interim protection granted vide order, dated 28.3.2016 is confirmed.

(ii) Criminal Application No. 1783 of 2016 is allowed in terms of prayer clause 'B'.

[INDIRA K.JAIN, J.]