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

CRIMINAL APPLICATION NO. 5866 OF 2016

1. Sau. Shobha Anil Pardesi,
Age: 40 years, Occu: Household work
2. Sau. Lata Bapu Pardesi,
Age: 30 years, Occu: Household work
3. Sau. Sunita Sachin Pardesi,
Age: 28 years, Occu: Household work
4. Sau. Sushilabai Vitthal Pardesi,
Age: 70 years, Occu: Household work

All R/o Pungaon, Tq. Pachora,
District Jalgaon

..APPLICANTS

VERSUS

The State of Maharashtra

..RESPONDENT

Mr Satej S. Jadhav, Advocate for applicants;
Mr C. V. Dharurkar, Addl. Public Prosecutor for respondent;
Mr S. S. Phatale, Advocate to assist Addl. Public Prosecutor

CORAM : A.S. CHANDURKAR, J.

DATE : 24th November, 2016

ORAL ORDER :

Heard.

2. The applicants in the present application apprehend their arrest, in connection with C.R. No.137 of 2016, registered at Pachora police station, Dist. Jalgaon, for offences punishable under Sections 307, 143, 147, 148, 149, 323, 504 and 506 of the Indian Penal Code.

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3. As per the first information report dated 19th September, 2016, on the previous day there was some altercation between the family of the applicants and the family of one Shri Aamle. It is stated that at that point of time, present applicant nos.1 to 3 had been to the house of Shri Aamle and had abused one Rahul. Thereafter the male members came there and one of them assaulted Vinod Aamle on the head. There was a scuffle between the male members leading to lodging of the aforesaid report. It is submitted on behalf of the applicants that even if it is assumed that the applicants were present when the incident took place, they are alleged to have only abused Rahul. There is no specific overt act attributed to the present applicants and the assault is stated to be by male members of the family. It is further submitted that F.I.R. No.138 of 2016 has been lodged against the other family members of the family of the applicants. It is, therefore, prayed that present applicants be protected.

4. The application is opposed by the learned Addl. Public Prosecutor as well as Counsel for the complainant. It is submitted that statements of witnesses indicate presence of present applicants at the site and, therefore, their interrogation is necessary. Considering gravity of the attack, the applicants do not deserve protection.

5. Perused the police papers as well as other documents placed on record. In the first information report, it is stated that present applicants had initially abused one Rahul, leading to subsequent altercations and attack on Vinod. The assault on said Vinod is by male members. The

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name of applicant no.4 is not stated in the body of the report, but only while concluding the same. In these facts and considering that applicants are women, who can be directed to co-operate with the investigation, the interim protection granted earlier deserves to be confirmed.

6. In view of aforesaid, in the event of applicants' arrest, in connection with C.R. No.137 of 2016, registered at Pachora Police Station, Dist. Jalgaon, for offences punishable under Sections 307, 143, 147, 148, 149, 323, 504 and 506 of the Indian Penal Code, they be released on bail, on each of them furnishing P.R. Bond of Rs.15,000/- with one surety in like amount.

The applicants shall attend the concerned police station on 2nd December, 2016 and thereafter as per directions of the Investigating Officer.

Observations made in this order are only for the purposes of considering the present application.

Application is allowed and disposed of.

(A.S. CHANDURKAR, J.)

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