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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.677 OF 2016

Gaurav Vijay Chavan	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.S.K.Shinde for the Applicant

Mr.J.H.Ramugade, A.P.P for the Respondent-State

Police Constable – D.B.Tondkar, Wakad Police Station, Pune.

CORAM : REVATI MOHITE DERE, J.

DATE : 25th APRIL, 2016

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 157 of 2016 registered with the Wakad Police Station, Pune, for the alleged offences punishable under Sections 326, 504 r/w 34 of the Indian Penal Code.

3. The incident in question has taken place on on 25th March, 2016 at about 8.30 p.m. According to the complainant, there was a quarrel between the applicant and his friends with the persons at the petrol pump as less fuel was filled despite the persons on the petrol pump taking money for the same. It is alleged that in the said incident, one Akash Shetty is alleged to have assaulted Ashok Deshmukh with a stick on his head and the present applicant is alleged to have assaulted with an iron rod. One Manoj Waghmare is also alleged to have received injuries in the said incident.

4. Learned APP opposed the application. He has produced the injury certificate of Ashok Deshmukh, who had sustained injuries in the said incident. He submitted that Manoj Waghmare's certificate is not on record as he has not received any injury.

5. Perused the papers. The injury certificate of Ashok Deshmukh who is alleged to have been assaulted by Akash Shetty with a stick on his head and with an iron rod by the applicant shows 'CLW on the left parieto occipital temporal region, (5 stiches given). His CT Brain (Scan) was

within normal limit'. The said injury is stated to be caused by a hard object and appears to be a simple injury. There are no antecedents, qua the present applicant.

6. Considering the aforesaid, the application is allowed and the applicant is granted anticipatory bail on the following terms and conditions :-

ORDER

- i) In the event of arrest, the Applicant be enlarged on bail on furnishing P.R.Bond in the sum of Rs.10,000/- with one or two sureties in the like amount ;
- ii) The applicant shall attend the concerned Police Station on every Saturday, between 10.00 a.m. to 11.00 a.m., till the filing of the charge sheet.
- (iii) The applicant shall not tamper or attempt to influence the complainant, witnesses or any person concerned with the case.

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

8. It is made clear that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.