

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.852 OF 2016

Sudhir @ Bapu Rama Nawle .. Applicant
Versus
The State of Maharashtra .. Respondent

Mr.J.K.Ali i/b A.A. Siddiqui & Associates for the applicant.

Mr.H.J. Dedhia, APP for the Respondent State.

CORAM : PN. DESHMUKH, J.

DATED : 20th JUNE 2016

P.C. :

1 Heard learned counsel for the parties.

2 This is an application for pre-arrest bail by accused involved in Crime No.144/16 registered by Mankhurd Police Station for the offence punishable u/s.394 r/w section 34 of the IPC, alleging that on 15th April 2016, applicant along with co-accused had assaulted complainant with iron rod, and in the course of some transaction has removed complainant's cell phone. It is contended on behalf of the applicant and from the documents filed in support of the application, it reveals that prior to present incident of alleged assault, sister of applicant had lodged report against the complainant with Mankhurd Police Station on 1st April 2016 on the basis of which offences under Section 376, 506II of the IPC is registered.

3 It further reveals that FIR is registered on the statement of sister of applicant against the complainant in Crime No.144/16 for the offence under Section 366, 506II, 504 of the IPC bearing Crime No.145/16 alleging that on 15th April 2016, complainant in Crime No.144/16 had tried to abduct the sister of the applicant.

4 This Court has protected the applicant by interim relief granted on 2nd May 2016 and considered the fact that the applicant's sister had lodged FIR against the complainant herein, and second FIR being cross-case which was registered on the same day of incident wherein applicant is implicated. Also, on considering the medical certificate, it is noted that complainant had sustained some injuries and was treated in the OPD which does not appear to be 'grievous'.

5 Having considering facts, as aforesaid, interim protection granted to the applicant stands confirmed with direction to the applicant to attend Investigating Officer as and when called till the filing of the charge-sheet.

6 Application is allowed and stands disposed of accordingly.

(PN. DESHMUKH, J)