

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

Criminal Application [ABA] No.371 of 2016

(Ganesh Ramchandra Wadte

vs.

State of Maharashtra, through its P.S.O. Darwha, District Yavatmal)

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Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

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Court's or Judge's Orders

Shri A.J. Mirza, Advocate for the Applicant.

Shri R.S. Nayak, A.P.P. for the Non-Applicant/State.

CORAM : **S.B. SHUKRE, J.**

DATE : **5th JULY, 2016.**

Heard the learned Counsel for the applicant and the
learned A.P.P. for the State.

I find no substance in the argument of the learned
Counsel for the applicant that the applicant has been falsely
involved in the offence at the behest of one Ashish Chavan, who
is alleged to be the eye-witness of the incident and against
whom, the sister-in-law of the applicant had filed a complaint,
and because of which, there was an enmity between the
applicant and Ashish Chavan. The reason is that apart from
Ashish Chavan, there are other witnesses, who have witnessed
the incident, in which, the assault was made upon the deceased.
At this juncture, I do not want to enter into any detailed
discussion, as the investigation is still going on. Suffice it to say
that there are eye-witnesses, who have witnessed the assault

being made upon the deceased. There is also evidence to show that the present applicant was lastly seen in the company of the deceased.

The learned Counsel for the applicant submits that on the day of the incident, the applicant was not present in the city of Darwha. This argument, at this stage, cannot be accepted as it will be a matter of investigation and only when the detailed evidence is available, the same would be properly considered.

In view of the above, I am of the view that the application deserves to be rejected. Accordingly, the application stands rejected.

The interim bail granted to the applicant by this Court on 21st June, 2016 is rejected.

The learned Counsel for the applicant submits that the interim protection granted to the applicant on 21st June, 2016 be continued for the period of one week.

However, in view of the fact that there is sufficient incriminating material available against the applicant, at this stage, the request of the applicant cannot be granted.

JUDGE

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