

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

CRIMINAL APPLICATION (ABA) 378 OF 2016

(Sanjay Laxmanrao Thombre & others Vs. The State of Maharashtra)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Amol Mardikar, Advocate for the applicants.
Shri S. D. Shirpurkar, A.P.P. for the State.

CORAM : S. B. SHUKRE, J.

DATED : 20 JULY, 2016

Heard learned Counsel for the applicant
and the learned A.P.P. for the State. Perused the case
diary.

It is seen that in respect of the same
incident, two counter complaints have been filed. Of
course, the complaint filed against these applicants is
slightly earlier than the complaint filed by applicant
No.2 against the party of the complainant in this case.
The complaint has been filed against these applicants
by Salman Khan on 31/5/2016 at 20.30 p.m. and the
offences punishable under Sections 326 read with
Section 34 of the Indian Penal Code and Sections 4
and 25 of the Arms Act are registered against these
applicants vide Crime No.361 of 2016 on that basis.
The complaint filed by applicant No.2 in Crime No.

361 of 2016 is of the same day of 31/5/2016 but it has been filed at 22.35 p.m., five minutes later than the first complaint. On its basis, Crime No.366 of 2016 for the offence punishable under Section 324 of the Indian Penal Code has been registered against the complainant Salman Khan.

The statements of some of the witnesses indicate that it were the complainant, who was the aggressor and they also show that in the scuffle that took place between the complainant and Salman Khan, Salman Khan fell down on the ground and sustained injuries. The case diary also includes a note made by the Investigating Officer that Salman Khan and his relatives tried to pressurise the Investigating Officer to state the facts in this case in a manipulated manner. The M.L.C. report of Salman Khan discloses that he had sustained two contused lacerated wounds over his head and in the opinion of the Medical Officer, they were likely to be simple in nature and that they were caused by hard and blunt object. It appears, no final medical opinion in respect of these injuries has been obtained. However, as submitted by learned A.P.P. for the State, Salman Khan was

discharged from the hospital in three days. In these circumstances, I am of the view that these applicants deserve to be enlarged on bail. Hence, the order.:

The application is allowed and the interim bail granted to the applicants by this Court on 16/6/2016 is hereby confirmed on the same conditions except the condition regarding their attendance at the police station and now it is directed that the applicants shall attend the police station as and when required.

JUDGE



CERTIFICATE

“I certify that this order uploaded is a true and correct copy of original signed order.”

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