

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

CRIMINAL APPLICATION (ABA) NO. 499 OF 2016

(Suraj Sheshrao Gawali Vs. The State of Maharashtra)

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

Court's or Judge's orders

Shri Ajay Satish Londhe, Advocate for the applicant.
 Shri S. J. Kadu, A.P.P. for the State.

CORAM : S. B. SHUKRE, J.
DATED : AUGUST 16, 2016

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

It is seen from the F.I.R., supplementary statement of the informant and also the reply of the prosecution that the name of this applicant has been wrongly mentioned in the F.I.R. and this has been clarified by the witnesses. A specific role has been attributed to this applicant, according to which this applicant used iron pipe in assaulting Vishwanath Khawle. The injuries sustained by Vishwanath Khawle were grievous in nature. The medical report indicates that surgery was suggested. Even though the other co-accused persons are released on bail, no parity could be drawn between the other accused and this applicant as the other co-accused persons have been released on regular bail. So far as this applicant is concerned, it appears, his custodial interrogation would be required. Besides, it is the contention of the learned A.P.P. for the State that this applicant was absconding and never surrendered before the investigating officer till the interim bail was granted to him by this Court on 02/8/2016.

Considering the facts and circumstances of this case, as noted earlier, I am not inclined to grant this application. The application is, therefore, rejected.

JUDGE

CERTIFICATE

“I certify that this order uploaded is a true
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