

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

Criminal Application [ABA] No.626 of 2016

(Shekhar @ Chandrashekhar s/o Baliram Bhongirwar and another
vs.
State of Maharashtra, through P.S.O. Patan, 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

Mrs. Vaishali Khadekar, Advocate for the Applicants.
Shri T.A. Mirza, A.P.P. for the Non-Applicant/State.

CORAM : S.B. SHUKRE, J.
DATE : 19th OCTOBER, 2016.

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

Perused the case diary. The F.I.R. has been filed
about seven hours after the incident had taken place.
Apparently, there is no *prima facie* explanation given for the
delay. Although, there are some witnesses, who are
supporting the version of the complainant, the Secretary, who
conducted the meeting, has not come out with any account of
the incident. It is seen that so far, his statement has not been
recorded. In fact, he is the key witness, as he was the person,
who was conducting the meeting and the incident had started
with an impression the complainant carried that the
applicants were unnecessarily interfering in the smooth
conduct of the meeting. It appears that the Secretary, Shri

Tale has also not filed any complaint so far, when there is an allegation that the proceedings of the meeting were disturbed by these applicants. Therefore, I am of the view that there is a doubt about *prima facie* involvement of the applicants in the offences alleged against them. The application deserves to be allowed. Hence, the order.

The application is allowed and the interim anticipatory bail granted to the applicants on 26th September, 2016 is hereby confirmed on the same conditions.

Hamdast is granted.

*sdw

JUDGE

C E R T I F I C A T E

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

Uploaded by : S.D. Waghmare,
P.A. to the Hon'ble Judge.

Uploaded on : 20/10/2016