

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

**CRIMINAL APPLICATION (BA) NO. 908 OF 2015**  
(SANJAY VISHNU INGLE...VS..STATE OF MAH. THR. PSO OLD CITY, AKOLA)

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

**CORAM : Z.A.HAQ, J.**  
**DATED : FEBRUARY 17, 2016.**

Heard Shri U.J.Deshpande, advocate for the applicant and Shri M.J. Khan, A.P.P. for the non-applicant.

The applicant is arrested in the crime registered against 12 persons (including the applicant) for the offences punishable under Sections 302, 307, 452, 143, 147, 148, 149, 504, 324, 506 and 427 of the Indian Penal Code.

The learned advocate for the applicant has submitted that there is no material against the applicant and he has been falsely implicated. It is further submitted that the incident has taken place on 16th May, 2015 and the applicant is arrested from his house on 29th May, 2015, this shows that the applicant was not absconding till he was arrested, meaning thereby that the applicant has been implicated subsequently. The medical report has been referred to point out that the death of the deceased is not caused because of the blow given by stick which is alleged to be found with the applicant.

The learned A.P.P. has opposed the application.

The case of the prosecution is that 12 assailants (accused) armed with sword, knives, pipes, axe, iron battle axe and sticks have assaulted Deepak Kamble and his family members and Deepak Kamble died and five members of his family have suffered injuries.

Considering the nature of the offence and the facts on record, I am not inclined to grant the prayer made in the application.

The application is dismissed.

**CRI.APPLN.(APPP) NO. 1353/2015.**

In view of disposal of the main application, the application for time to file affidavit of relative does not survive, hence, it is disposed of.

**JUDGE**

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