

CRIMINAL APPLICATION NO. 3446 OF 2017

VERSUS

• • • • •

Mr. S.B.Joshi, A.P.P for respondent

• • • • •

DATED : 19th JULY, 2017

ORDER :

Heard Mr. Salunke, learned counsel for the applicant and Mr. Joshi, learned A.P.P. for respondent.

2. One Trimbak Dalvi lodged complaint to the police station, Jafrabad, Jalna on 7.4.2017 alleging that on 8th April, 2017 at about 7.30 a.m. when he was present in the house, present applicant and another accused namely Prabhu came in front of his house and they started abusing informant. The applicant tried to assault the nephew of informant namely Ganesh by means of

knife. When the complainant went to intervene, applicant has stabbed him by knife, due to which informant fell down, still another accused Prabhu gave kick and fist blows. Sons of Prabhu also assaulted the informant.

3. I have perused the injury certificate of informant Trimbak as well as Ganesh. On perusal of injury certificate of Ganesh, it appears that there was contused lacerated wound and head injury. From the injury certificate of informant, it appears that there was sutured wound on right side of abdomen, which is vital part of the body.

4. Mr. Salunke, learned counsel submits that there was no intention to commit the murder. I do not agree with the submission of Mr. Salunke, learned counsel, because the applicant stabbed the injured with dangerous weapon like knife on the vital part of the body i.e. abdomen. Therefore, the stabbing act of the applicant itself constitutes the intention behind the assault.

5. In view of above, I am of the opinion that no case is made out for grant of bail.

6. The above observations are made only for the purpose of decision of bail application and the Trial Court shall not be influenced with the same.

7. Criminal Application is rejected.

(K.L.WADANE, J.)

dbm