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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL BAIL APPLICATION NO.198 OF 2017

Sujit Manohar Dhavat	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.V.V.Pethe, for the Applicant.

Ms.Veera Shinde, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 6th SEPTEMBER, 2017

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.I-249 of 2015 registered with the Kapurbawadi Police Station, Thane, for the alleged offences punishable under Sections 307 of the Indian Penal Code and under Section 37(1) r/w 135 of the Maharashtra Police Act.
3. Learned Counsel for the applicant submits that the applicant is

in custody since May, 2015. He submitted that the incident is an outcome of a love affair. He submitted that the incident had taken place in a heat of passion and that there was no intention to cause the alleged injury.

4. Learned APP opposed the application.

5. Perused the papers. The incident took place on 26th May, 2015 at about 7.30 p.m., near the parking of Domino's Pizza at Cine Wonder Mall. According to the prosecution, the applicant was suspecting the character of the injured-Neelam, pursuant to which, he assaulted her with a knife on her neck, chin, abdomen and arm. The complainant-Bipin Devkumar Singh, on seeing the assault rushed to the spot and saw the injured-Neelam lying in a pool of blood and took her to the Hospital. The injury certificate shows that Neelam had sustained multiple injuries with a knife i.e. 1) CLW deep to peritoneum X 3 X 1 2) Stab wound bowel punctured 3) Lt. Lower chest injury deep upto splenic tear / Hemopneumothorax; 4) CLW on left hand, CLW on Lt. Palm tendon of index finger cut with Right hand Forearm, CLW 2 X 1 X Muscle deep 5) CLW Lt. Lower back deep upto

peritoneum X 4 X 3 6) CLW over Rrt. Back 2X1XMuscle deep 7) CLW over neck Rt. Side. The injured-Neelam, was in the hospital for almost a month, as a result of the injuries sustained by her. There are eye-witnesses to the said incident. The possibility of the applicant tampering and intimidating the witnesses and committing the same offence again, cannot be ruled out.

6. Considering the aforesaid, this is not a fit case to enlarge the applicant on bail.

7. Hence, the application for bail is rejected and disposed of as such. However, the trial of the applicant is expedited.

8. It is made clear that the observations made herein are prima facie for deciding the aforesaid application, and the learned Judge shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

(REVATI MOHITE DERE, J.)