

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 643 OF 2017**

Sheshrao Keshav Dole ...Applicant
Versus
The State of Maharashtra ...Respondent

**WITH
CRIMINAL APPLICATION NO. 405 OF 2017
IN
ANTICIPATORY BAIL APPLICATION NO. 643 OF 2017**

Manda Tanaji Andhale ...Intervener

IN THE MATTER BETWEEN :

Sheshrao Keshav Dole ...Applicant
Versus
The State of Maharashtra ...Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO. 644 OF 2017**

Ravindra Vishwanath Nagargoje ...Applicant
Versus
The State of Maharashtra ...Respondent

**WITH
CRIMINAL APPLICATION NO. 406 OF 2017
IN
ANTICIPATORY BAIL APPLICATION NO. 644 OF 2017**

Manda Tanaji Andhale ...Intervener

IN THE MATTER BETWEEN :

Ravindra Vishwanath Nagargoje ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr. Mahindra Balasaheb Deshmukh for the Applicants

Ms. S. S. Kaushik, A.P.P for the Respondent-State

Mr. V. J. Bhanushali for the Intervener

API Mr. Mahendra Baburao Wagh from Kharghar Police Station, is present

CORAM : REVATI MOHITE DERE, J.
TUESDAY, 13th JUNE, 2017

P.C.

1. Heard learned Counsel for the parties.
2. By these applications, the applicants seek pre-arrest bail in connection with C.R. No. 33 of 2017 registered with the Kharghar Police Station, Raigad, for the alleged offences punishable under Sections 323, 324, 326, 354, 380, 504, 509 r/w 34 of the Indian Penal Code.
3. The applicant–Sheshrao Keshav Dole is the Secretary of the Vijaynagari Co-operative Housing Society and the applicant-Ravindra Vishwanath Nagargoje is the Chairman of the said Society. The

complainant is the wife of a member of the said Society. It appears that there are disputes between the Society members. It is alleged by the complainant that on 27th January, 2017 at about 1.30 p.m., they had kept some wooden articles of her son's clinic, near a tank/pump room. It is alleged that the applicant–Ravindra picked up the said articles, which were kept near the pump room. She has alleged that when she questioned the applicant–Ravindra, as to why the articles were taken by him, he started quarreling with her and started abusing her. She has alleged that the applicant–Ravindra picked up a stool and threw it on her head, as a result of which, she sustained an injury. She has further alleged that her son–Prashant was also assaulted by fist blows by both the applicants. Accordingly, the aforesaid complaint came to be lodged.

4. Learned A.P.P opposed the application. She has produced the injury certificate to show that the complainant had sustained hairline fracture on left occipital region. She submitted that the applicant-Ravindra Nagargoje is not the owner of the premises and that there are membership issues. She further submits that the Society has filed a case as against the applicant in the office of the Sub-Registrar Cooperative Societies,

challenging the ownership and membership of applicant-Ravindra Nagargoje.

5. Learned Counsel for the intervener supports the learned A.P.P.

6. Perused the papers. It appears that there is a dispute between the applicants and the society members including the complainant. The incident has taken place on 27th January, 2017 at about 1:00 p.m. According to the complainant, some wooden articles belonging to her son were picked up by the applicant-Ravindra. It is alleged that the applicant-Ravindra picked up a stool and threw it on the complainant's head, as a result of which, she sustained an injury. The complainant's son is also alleged to have been assaulted by both the applicants. The injury certificate shows that the complainant had received a hairline fracture. There is a dispute also whether the applicant-Ravindra is the Chairman of the said Society. It is not necessary to go into the issue whether the applicant-Ravindra is a Chairman of the Society or not or whether he is the owner or member of the premises in the Society. That is a matter which will be decided by the appropriate Authority.

7. In the facts of the case, custodial interrogation of the applicants is not necessary. Accordingly, the application is allowed and the applicants are granted anticipatory bail on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicants be enlarged on bail on executing P.R. Bond in the sum of Rs.20,000/- each, with one or two sureties in the like amount ;
- (ii) The applicants shall report to the Investigating Officer of the concerned Police Station as and when called;
- (iii) The applicants shall not contact the complainant, witnesses or any person concerned with the case.
- (iv) The applicants to cooperate in the conduct of the trial.

8. The applications are accordingly disposed of.

9. It is made clear that the observations made herein are *prima facie*, for the purpose of deciding these applications.

10. In view of the above order, intervention applications being Criminal Application Nos. 405 of 2017 and 406 of 2017 stand disposed of.
11. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.