

for offence punishable under Section 307, 353, 279, 427 of the Indian Penal Code read with section 184 of the Motor Vehicle Act.

3 It is the case of the prosecution that the applicant was a wanted accused in Crime No. 297 of 2015 registered at D.N. Nagar Police Station for offence punishable under section 392 read with section 34 of the Indian Penal Code. Police had received secret information that the applicant was moving in Malwani-Malad area in red colour Swift Car. They had taken a clue and had taken action to apprehend the accused. They had followed the accused for a long distance. The applicant had stopped his car near toll naka. Police i.e. the complainant had shown his identity card to the accused and had asked the accused-applicant to surrender. However, the applicant had accelerated his car and had attempted to flee. The police had to follow the accused-applicant. The police had also to fire in the direction of the tyre of the said car. However, without stopping the car, the applicant proceeded. The police had to give a call at 100 number. The applicant had stopped the car and then charged

towards the complainant and the police staff in order to cause hurt to the police. Hence, the police has lodged FIR.

4 The learned Counsel for the applicant submits that there is delay in lodging FIR. It is also submitted that no injury was caused to any of the police personnel and therefore, section 307 of the Indian Penal Code is not attracted. It is admitted position that to attract section 307 of the Indian Penal Code, no specific injury is required. All that is required is an attempt to murder.

5 The learned APP submits that the applicant is a history sheeter and there are more than 36 cases registered against him. Moreover, he has dared to obstruct the police from discharging their official duties. Hence, the applicant does not deserve to be enlarged on bail.

6 The observations are prima facie in nature and restricted to the application under section 439 of the Code of Criminal Procedure, 1973. The same shall not be considered at the time of trial.

7 The application being sans merits stands rejected. The application is disposed of accordingly.

(SMT. SADHANA S. JADHAV, J)