

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

CRI. APPLICATION (ABA) NO. 128 OF 2017

(PUSHAPDEO VITTHALRAO SOLANKE...VS.. STATE OF MAH. THR. P.S.O. PS WADGAON, TAH-
YAVATMAL, DIST. YAVATMAL)

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

Court's or Judge's orders

Shri. V. D. Darne, Advocate for Applicant.
Shri. N. R. Patil, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : 20th JUNE, 2017.

Heard.

The applicant, apprehending arrest in crime registered against him for the offences punishable under Sections 326, 323, 504, 506 read with Section 34 of the Indian Penal Code, has sought pre-arrest bail.

The crime is registered on the complaint lodged by Rekha Ingole that the applicant and co-accused Thakre assaulted the complainant's husband and the applicant had stabbed the complainant's husband by knife and caused injuries on the abdomen of the victim. The applicant is a Government Servant working as Village Development Officer and co-accused Thakre is Gramsevak. The incident took place at hotel and Beer Bar.

The learned advocate for the applicant has submitted that the applicant is Government Servant, he has received several awards for his good work and had also

lodged complaint of defalcation against the victim. He submitted that this Court has granted interim protection to the applicant by order dated 28.02.2017 and the applicant has co-operated with the Investigating Agency and that the investigation is complete and the Investigating Officer has filed an affidavit before this Court stating that the weapon used in the crime is seized and clothes of the applicant/accused are also seized and therefore, custody of the applicant is not required.

Though the Investigating Officer has not complained that the applicant has not co-operated with the investigation, considering the nature of the incident and that charge-sheet is not filed, I am not inclined to grant the prayer made in the application. The application is dismissed. The applicant has enjoyed the protection granted by this Court by the order passed on 28.02.2017. The applicant shall surrender within one week failing which his conduct may be taken note of at all stages of the proceedings.

JUDGE

PBP.