

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

CRI. APPLICATION (ABA) NO. 144 OF 2017

(GOVIND S/O GADRUJI SAHARE...VS.. STATE OF MAH. THR. P.S.O. PS PACHPAULI, DIST. NAGPUR)

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

Court's or Judge's orders

Shri. A. K. Bhangde, Advocate for Applicant.
Shri. M. J. Khan, 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 307, 504 read with Section 34 of the Indian Penal Code, has sought pre-arrest bail.

According to the applicant, the complainant Mahesh Arun Asole and his friend assaulted the applicant and his friend Ravi Satpiase (who accompanied the applicant at the relevant time) and Ravi Satpaise suffered grievous injuries and succumbed because of which crime is registered against the complainant Mahesh Arun Asole and his friend for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code.

The facts on record shows that there was a quarrel between two groups. The learned advocate for the applicant has submitted that this Court has granted interim protection by the order dated 18th April, 2017 and there is no

complaint of the Investigating Agency that the applicant has misused the interim protection or has not co-operated with the Investigating Agency. It is submitted that the non-applicant has not been able to show that the custody of the applicant is required for further investigation.

The learned A. P. P. has pointed out from the order passed by the Sessions Court that the applicant is habitual offender and 13 other crimes for the offences punishable under Sections 302, 307, 326, 324, 294, 506 etc. of the Indian Penal Code are registered against the applicant.

Though the learned advocate for the applicant has submitted that out of 13 crimes registered against him, after trial he is acquitted in 10 cases, considering the nature of accusations against the applicant, the past record of the applicant and the fact that charge-sheet is not filed, I am not inclined to grant the prayer made in the application. The application is dismissed.

As the applicant has enjoyed the interim protection granted by this Court by the order passed on 18th April, 2017, he shall surrender within 3 days failing which note of his conduct may be taken at all stages of the proceedings.

JUDGE