

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

CRI. APPLICATION (BA) NO. 336 OF 2017

(SANKET S/O ANIL SIDAM...VS.. STATE OF MAH. THR. P.S.O. PS GADCHANDUR, DIST.
CHANDRAPUR)

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

Court's or Judge's orders

Shri. A.C. Jaltare, Advocate for Applicant.
Shri. N. R. Patil, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : 19th JUNE, 2017.

Heard.

The applicant is arrested on 13th May, 2016 in crime registered against him for the offences punishable under Sections 307, 326(A)(B), 448 and 506 of the Indian Penal Code, on the accusation that because of his grudge against the victim for lodging complaint against him regarding offence punishable under Maharashtra Prohibition Act, applicant has thrown acid on her face when she was sleeping in her courtyard.

The application is opposed on the ground that the husband of victim is an eyewitness, bottles containing acid are seized from the applicant/accused and admittedly the relations between the applicant and the complainant are not good and the applicant has grudge against the victim and her husband.

The investigation is complete and charge-sheet is

filed on 9th August, 2016. The non-applicant has not been able to show that custody of the applicant is required for further investigation.

Considering the facts of the case, in my view, the applicant is entitled to be released on bail, however, on conditions as imposed by this order.

The applicant, having been arrested in crime No.248 of 2016 registered by the non-applicant, he be released on bail on furnishing cash security of Rs.1,00,000/- and one solvent surety in the like amount. The applicant shall not enter the Tahsil – Korpana until the trial concludes. If the applicant is required to go to village Awarpur, he shall take prior permission from the trial Court. The applicant shall regularly attend the trial unless granted exemption by the trial Court.

The victim Sangita is granted liberty to approach the District Legal Services Authority, Chandrapur, seeking compensation under Section 357-A of the Code of Criminal Procedure, in the light of judgment given in the case of **State of M. P. ..vs.. Mehtaab** reported in **2015 (5) SCC 197** and other judgments on Section 357-A of the Code of Criminal Procedure. If such application is moved by the victim Sangita, the District Legal Services Authority, Chandrapur, shall consider it and dispose it according to law within 15 days.

The application is **allowed** in the above terms.

Shri. N. R. Patil learned Additional Public

Prosecutor shall send the copy of this order to the Secretary, District Legal Services Authority, Chandrapur and to the victim.

JUDGE

PBPatil.