

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

CRI. APPLICATION (BA) NO. 439 OF 2017

(DASRU KALU DHURVE...VS.. STATE OF MAH. THR. P.S.O. DHARNI, DIST. AMRAVATI)

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

Court's or Judge's orders

Ms S.H.Bhatia, Advocate (appointed) for Applicant.
Shri S.P.Deshpande, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JUNE 30, 2017.

Heard.

On complaint of Smt. Charku Chhotelal Darshimbe (wife of the victim-Chhotelal), Crime No. 336 of 2016 was registered on 6th July, 2016 against the applicant for the offence punishable under Section 326 of the Indian Penal Code. Subsequently, because of death of Chhotelal on 12th July, 2016 crime for the offence punishable under Section 302 of the Indian Penal Code is registered.

The facts on record show that the deceased Chhotelal had filed Regular Civil Suit No.84 of 2016 against the applicant staking his claim over the field property. The applicant had lodged complaints against Chhotelal on 16th March, 2016 and 4th June, 2016.

The case of the Investigating Agency is based on circumstantial evidence. The applicant is not involved in any other crime/ offence. The investigation is complete and charge-sheet is filed on 27th September, 2016. The non-applicant has not been able to show that the custody of the applicant is required for further investigation.

Considering the facts of the case, following order is passed:

The applicant, having been arrested in Crime No.336 of 2016, registered by the non-applicant, he be released on bail on executing P.R. Bond for Rs.Twenty Thousand and furnishing one solvent surety in the like amount.

The application is **allowed** accordingly.

The fees of Ms S.H. Bhatia, advocate who represented the applicant in the present matter, is quantified at Rs.Two Thousand.

JUDGE

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