

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO. 788 OF 2017

(Panjab S/o Abhimanji Parve..vs..State of Maharashtra, through PSO.PS.Kholapuri
Gate,Amravati,District-Amravati)

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

Court's or Judge's orders.

Shri S.S.Bhalerao, Advocate for applicant.
Shri Indranil Damle, A.P.P. for State- non-applicant.

CORAM : V.M. DESHPANDE, J.
DATED : SEPTEMBER 5, 2017

This is an application for regular bail.

2] Heard learned counsel for applicant and learned
A.P.P. for State.

3] The applicant is arrested on 27/11/2016, in
connection with Crime No. 292/2016, registered with P.S.
Kholapuri Gate, Amravati, District-Amravati, for the offence
punishable under Sections 307,325,504,506 r/w Section 34 of
the Indian Penal Code and Section 4/25 of the Arms Act.

4] The investigating officer has completed the entire
investigation and final report is filed in the Court of law.

5] The criminal law was set in to motion by the
injured Dhiraj Gangaram Kaywate. According to his report, on
25/11/2016 co-accused Gajanan Parwe accosted him and
extended threats that he will take the revenge in view of
murder of his brother Amol at the hands of Dhiraj. However,
the said threat was not reported by Dhiraj to police station.

As per F.I.R., on 26/11/2016 as usual at 10.00
a.m. complainant and his brother Vishal had been to their

place of work at Indraprastha Colony at Nandgaon Peth. After completing their work when they were returning to their house at 6.30 p.m. near Mahajanpura bridge, co-accused Gajanan son of the present applicant gave a kick to the motorcycle and resultantly Dhiraj fell on the ground. That time Gajanan gave sword blow and also other co-accused Gopal Mahure gave sattur blow. According to F.I.R. that time present applicant gave a blow of tile. The injury certificate of the complainant is available at page no.30 compilation of the chargesheet which shows that there is only one stab wound. The weapon that is attributed against the present applicant is tile. The said cannot cause stab wound. It is Gajanan as per the complainant Dhiraj has used the weapon sword. The investigation is over. All articles are already seized and looking to the role attributed to the present applicant in my view further custodial presence of the applicant is not necessary. That leads me to pass the following order.

ORDER

- I) The application is allowed.
- II) Applicant Panjab S/o Abhimanji Parve be released on bail in Crime No. 292/2016, registered with P.S.Kholapuri Gate,Amravati,District-Amravati, for the offence punishable under Sections 307,325, 504,506 r/w Section 34 of the Indian Penal Code and Section 4/25 of the Arms Act, on he executing P.B. of Rs.25000/- with one solvent surety in the like amount.

- III) The applicant shall attend P.S.Kholapuri Gate,Amravati once in a month preferably on last Sunday of each month in between 3.00 p.m. to 5.00 p.m. till culmination of the trial.

With this the application is disposed of.

JUDGE

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