

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

CRIMINAL APPLICATION (ABA) NO.825 OF 2017

Manju w/o Santosh Yadav, R/o Tekka Naka, Kamptee Road, Nagpur

-vs-

State of Maharashtra, Thr. PSO, PS Dhantoli, Dist. Nagpur

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri Avdhesh Kesari, Advocate for applicant.

Shri K. L. Dharmadhikari, APP for non-applicant/State.

CORAM : A.S.CHANDURKAR, J.

DATE : November 30, 2017

Heard.

The applicant apprehends her arrest in connection with Crime No.227/2017 registered with Police Station Dhantoli, Dist. Nagpur for the offence punishable under Sections 141, 143, 147, 148, 323, 324, 307, 506 of the Indian Penal Code read with Section 4 and 25 of the Arms Act.

As per the First Information Report dated 22/10/2017 it is stated that there was a clash between two groups on account of dispute with regard to bursting of crackers. In that clash the informant was injured and it is stated that present applicant had thrown a brick on her. Injuries were sustained by various persons.

It is submitted on behalf of the applicant that she has been falsely implicated in the crime. There was a clash between two groups and in that commotion the informant was injured. The injuries suffered by her are not serious. There is

nothing to be recovered from the applicant and hence she be granted protection.

The application is opposed by the learned Additional Public Prosecutor by relying upon the reply. It is submitted that investigation is not yet complete and considering the role played by the applicant and the fact that she was instrumental in starting the dispute, she does not deserve protection.

Perused the police papers. The injury certificate of the informant indicates that she had suffered an abrasion and scratches. Injuries are described as simple. The role of attacking the informant with a sword is not attributed to the present applicant. I therefore find that applicant is entitled for protection. She can be directed to co-operate with the investigation.

Hence in the event of applicant's arrest in connection with Crime No.227/2017 registered with Police Station Dhantoli, Dist. Nagpur for the offence punishable under Sections 141, 143, 147, 148, 323, 324, 307, 506 of the Indian Penal Code read with Section 4 and 25 of the Arms Act, she shall be released on bail on furnishing PR Bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one surety in the like amount.

The applicant shall attend the concerned police station as and when directed by the Investigating Officer. No steps be taken to influence the prosecution witnesses.

The observations made in this order are only for deciding this application which is allowed and disposed of.

Pending misc. applications are also disposed of.

Humdast granted.

JUDGE