

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

CRIMINAL APPLICATION (ABA) NO.834/2016

Sukhdeo S/o Ganaji Chavan and others

..Vs..

The State of Maharashtra, through Police Station Officer, Police Station,
Mangrulpir, Tq. Mangrulpir, Distt. Washim

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

Court's or Judge's orders

Shri A.V. Band, Advocate for the applicants.
Shri M.J. Khan, A.P.P. for the respondent / State.

CORAM : Z.A.HAQ, J.

DATE : 12.6.2017.

Heard.

The applicants have sought pre-arrest bail apprehending arrest in crime registered against them for offence punishable under Section 307 read with Section 34 of the Indian Penal Code.

According to the investigating agency, the applicants and co-accused Tukaram started quarreling with the complainant objecting to her act of spitting near the well in the field. According to the complainant, the applicants had caught hold of the complainant and co-accused Tukaram forcibly administered poison, however, the complainant succeeded in rescuing herself from the clutches of the accused and went to the police station from where she was taken to hospital where she got the treatment on time.

The complainant has herself stated in the complaint that there is a dispute between the accused and the complainant regarding the agricultural land. There is no eye witness of the incident. The applicant No.1 is aged about 70 years, the applicant No.2 is a woman aged about 60 years and the applicant No.3 is a woman aged about 46 years. The applicants have stated that they are not involved in any other crime / offence earlier. The non-applicant has not been able to show that custody of the applicant is required for further investigation. The applicants are granted interim protection by order passed on 20th December, 2016 and investigating agency has not complained that the applicants have misused the interim protection.

Considering the facts of the case, I am of the view that the order passed by this Court on 20th December, 2016 granting interim protection to the applicants is required to be confirmed. The interim order is confirmed and the application is **allowed** accordingly.

JUDGE