

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

CRIMINAL APPLICATION (BA) NO.1193/2017

Laxman Narayanrao Thakre ..vs.. The State of Maharashtra thr. PSO
P.S. Washim (City), Dist. Washim

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

Court's or Judge's orders.

Mr. R. M. Mardikar, Advocate for applicant.
A.P.P. for non applicant-State.
Mr. S. D. Tatke, Advocate assisting prosecution.

CORAM : V.M. DESHPANDE, J.

DATED : DECEMBER 13, 2017

Criminal Application No.2103/2017

This is an application filed by the complainant to assist the prosecution.

Heard Mr. Tatke, Advocate for applicant and learned A.P.P. for non applicant-State.

For the reasons stated in the application, it is allowed. Applicant is permitted to assist the prosecution.

The application stands disposed of.

Criminal Application (BA) No.1193/2017

1. Heard Mr. Mardikar, Advocate for applicant, learned A.P.P. for non applicant-State and Mr. Tatke, Advocate assisting the prosecution.

2. The applicant is arrested on 13.07.2017 in connection with Crime No.287/2017, registered with Police Station, Washim, Dist. Washim for an offence punishable under Sections 324, 326, 307, 341, 504 and 506 of the Indian Penal Code.

3. The investigation is over and charge-sheet is also filed on record. The injured Bajirao, who was admitted in the hospital is already discharged from the hospital and there are no chances of converting this offence in more graver one. The statement of the applicant is already recorded. It is stated that on a trifle issue the dispute occurred and in that when Bajirao was going to hospital, the present applicant has dealt with a blow of knife to him.

4. The learned A.P.P. and Mr. Tatke, learned counsel assisting the prosecution have opposed the application on the ground that after commission of this offence though the applicant is in jail, his wife Sulu is extending threats to the first informant and for that the Non Cognizable report is already registered against Sulu.

5. Mr. Mardikar, learned counsel for the applicant submitted that till the trial is over, the applicant will not enter within the territorial jurisdiction of village Kalamba, Dist. Washim.

6. Looking to the fact that the present applicant is in jail since 13.07.2017 and investigation is already over, in my view, the application can be considered favorably by imposing condition that he shall not enter the village till the trial is over. Hence, following order is passed.

ORDER

(i) Criminal Application No.1193/2017 is allowed.

(ii) Applicant-Laxman Narayanrao Thakre, be released on bail in connection with Crime No.287/2017, registered with Police Station, Washim, Dist. Washim for an offence punishable under Sections 324, 326, 307, 341, 504 and 506 of the Indian Penal Code on he executing P.R. Bond in the sum of Rs.25,000/- with two solvent sureties in the like amount.

(iii) The applicant shall not enter the territorial jurisdiction of village Kalamba and shall reside at Washim. He shall furnish his residential address to Police Station Officer, Washim and also to the learned Judge before whom the bail bond will be executed.

(iii) The applicant shall attend Police Station, Washim once in a month i.e. on last Sunday of every month between 11.00 a.m. to 2.00 p.m. till culmination of the trial.

(iv) The applicant shall not extend any threats to the victim.

The application is disposed of.

JUDGE