

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.65 OF 2018

Shri. Sanjay Shrishail Teli & Ors. Applicants
Vs.
The State of Maharashtra Respondent

Mr. Umesh Mankapure for the Applicants.
Ms. Veera Shinde, APP for the State in BA No. 118 of 2018.
Mr. S.H. Yadav, APP for the State in BA No.65 of 2018.

Mr. Bhagwan Shinde, API, Umadi Police Station, Sangli.

Coram : *Smt. Sadhana S. Jadhav, J.*
Date : *16th January, 2018*

P.C.:

1 Heard the learned counsel for the applicant and the learned APP.

2 This is an application under Section 438 Code of Criminal Procedure. The applicants herein are apprehending their arrest in Crime No.73 of 2017, registered at Umadi Police Station, for the offences punishable under Sections 307, 326, 324, 323, 143, 147, 148, 149, 504 Indian Penal Code.

3 It is the case of the prosecution that on 25th December 2017, Shrishail Teli lodged a report at the Police Station alleging therein that on 25th December 2017, there was altercation between Sanjay Teli and others. They were proceeding to the police station to lodge the report, the applicants threatened them of dire consequences. At that time, the applicants had assaulted them with sticks, fists and kicks blows.

4 Perused the papers of investigation, more particularly, the injury certificates. Shrishail Chaugule had sustained two simple injuries. Sham Teli had sustained one simple injury.

5 Taking into consideration the fact that the incident had occurred on the spur of moment. That there are cross-complaints. The applicants had no criminal antecedents, this Court is of the opinion that the applicants deserve pre-arrest bail.

6 It is made clear that the observations are restricted to an application under Section 438 Cr.PC. and shall not be taken into consideration for the purpose of quashing of FIR, discharge application or at the time of trial. Hence, the order :

ORDER

1 The application is allowed.

2 In the event of arrest, the applicants be enlarged on bail on furnishing PR. bonds in the sum of Rs.50,000/- with one or more

solvent sureties in the like amount.

3 The applicants shall report to Umadi police station on 20th January, 2018, 27th January 2018, 3rd February 2018 and 10th February 2018 between 10.00 am. to 12.00 noon and co-operate the investigating agency to the best of their capacity.

(*Smt. Sadhana S. Jadhav, J*)