

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

ANTICIPATORY BAIL APPLICATION NO. 250 OF 2018

1 Satnam Sing Muktar Sing Mann.
2 Sukhvindar Sing Alia Sonu Dhillon ... Applicants.
 Versus
The State of Maharashtra & anr. ... Respondents.

Mr. Dinesh Tayade, advocate for Applicants.

Mr. S.H. Yadav, APP for State.

Mr. Kishor Medhe, PSI, Kharghar Police Station.

**CORAM : SMT.SADHANA S. JADHAV,J
DATE : FEBRUARY 9, 2018**

P.C.:

1 Heard the learned Counsel for the applicants and the learned
APP for State.

2 The applicants herein are apprehending their arrest in Crime
No. 406 of 2017 registered at Kharghar Police Station for the offence
punishable under section 143, 144, 147, 149, 326, 354, 504 of the

Indian Penal Code. This appears to be a case of cross-complaint. The applicant is complainant in Crime No. 404 of 2017.

3 The learned Counsel for the applicants submits that in fact, Crime No. 406 of 2017 has been registered only as a counter-blast to registration of Crime No. 404 of 2017.

4 Upon perusal of papers of investigation it appears that there was trifling quarrel between the wife of Harvinder Sing Charansing Mann and the present applicants. The applicant No.1 herein had intervened and had sustained simple injuries. The applicant No. 1 was assaulted by Sarmukh Singh and the applicant No. 1 had sustained hairline fracture on his finger.

5 The accused in Crime No. 404 of 2017 have been granted pre-arrest bail vide order dated 29/1/2018. In view of this, upon perusal of papers of investigation and taking into consideration the

submissions advanced across the bar, this Court is of the opinion that the applicants deserve to be granted pre-arrest bail.

6 It is made clear that the observations are prima facie in nature and restricted to the application under section 438 of the Code of Criminal Procedure, 1973 and the same shall not be taken into consideration for the purpose of quashing of FIR, discharge application or at the time of trial.

7 Hence, following order is passed :

ORDER

(i) The application is allowed.

(ii) In the event of arrest in C.R. No. 406 of 2017 registered at Kharghar Police Station, the applicants be enlarged on bail on furnishing P.R. Bond in the sum of Rs. 25,000/- each with one or more solvent sureties in the like amount.

(iii) The applicants shall not enter into the jurisdiction of Kharghar Gurdwara till filing of charge-sheet.

(iv) The applicants shall not tamper with the evidence.

8 The application is disposed of accordingly.

(SMT. SADHANA S. JADHAV,J)