

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

BAIL APPLICATION NO. 913 OF 2018

Shridhar @ Chintu Shrinivas Lingam	... Applicant
Vs.	
State of Maharashtra	... Respondent

...

Ms. Sharam G. Bhagat for the applicant.

Ms. A.A. Takalkar, APP for the Respondent-State.

Mr. S.G. Haraskar, H.C., Ambarnath Police Station is present in person.

...

CORAM : PRAKASH D. NAIK, J.

DATE : 21st AUGUST, 2018.

P.C.

1. This is an application for bail in connection with C.R. No. I-40 registered with Ambarnath Police Station for offences punishable under Sections 307, 323, 506 read with 34 of Indian Penal Code. The applicant was arrested on 3rd February, 2017.

The investigation is completed and the chargesheet is filed.

2. The prosecution case is that on 2nd February, 2017, the applicant confronted the complainant and questioned him as to why he has took up quarrel with Narsi. On account of questioning the complainant, he slapped the applicant-accused. At that time, accused removed the knife from his pocket and assaulted the

complainant by giving single blow on his chest. The complainant sustained injury. Thereafter, the complainant was treated in the hospital and was discharged. The medical certificate indicates that he had sustained grievous injury.

3. Learned advocate for the applicant submitted that applicant is a student. There are no criminal antecedent against him. There was no intention to kill the victim. The victim was assaulted only when he had slapped the complainant. The applicant was arrested on 3rd February, 2017 and since then he is custody. It is further submitted that applicant is willing to stay out of the jurisdiction of Ambarnath Police Station. It is submitted that applicant would stay within the jurisdiction of Kolsewadi Police Station.

4. Learned APP submitted that overt act has been attributed to the applicant. He had assaulted the victim by blow of knife. The victim had sustained grievous injury. It is noted that victim was discharged from the hospital. The applicant is in custody from 3rd February, 2017 i.e more than one and half year. The investigation is completed and the chargesheet has been filed.

5. Taking into consideration the aforesaid circumstance bail can be granted to the applicant on certain terms and conditions. Hence, I pass the following order.

ORDER

- i) Criminal Bail Application No. 913 of 2018 is allowed.
- ii) The applicant is directed to be released on bail in connection with C.R. No. I-40 of 2017 registered with Ambarnath Police Station which is subject matter in Session Case No. 158 of 2017 pending before the Sessions Court at Kalyan on furnishing P.R. Bond of Rs.20,000/- (Rs. Twenty Thousand only) with one or more sureties in the like amount;
- iii) The applicant would reside within the jurisdiction of Kolsewadi Police Station and shall attend Kolsewadi Police Station once in a month on first Saturday between 10 a.m. to 12 noon till further order;
- iv) The applicant is permitted to attend the Sessions Court at Kalyan for attending the proceedings;
- v) The applicant shall not tamper with the evidence and/or influence the prosecution witnesses.
- vi) The application stands disposed off.

Digitally signed
by Sachidanand
Kuttan Nair
Date:
2018.08.24
15:02:22 +0530

(PRAKASH D. NAIK, J.)