

JPP

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

CRIMINAL BAIL APPLICATION NO. 1346 OF 2018

Prasad Dilip Salunkhe

... Applicant.

V/s.

The State of Maharashtra.

... Respondent.

Mr. Paras Yadav for the Applicant.

Ms. J.S. Lohokare, APP for the Respondent - State.

CORAM : A.S. Gadkari, J.

DATE : 27th November 2018.

P.C. :-

1. In pursuance of order dated 15th October 2018, the Special Inspector General of Police, Kolhapur Range has forwarded its comments dated 27th October 2018 through the learned APP. Same is taken on record.

It is stated that when he had been to the concerned Police Station i.e. Dehu Road Police Station for inspection on 22nd February 2018 the First Informant in the present crime personally met him and told him that the accused persons herein assaulted

him with a sword on his head and therefore, he instructed the Investigating Officer to add Section 307 of the Indian Penal Code to the present crime.

2. As noted in the said order dated 15th October 2018, the application of Section 307 of the Indian Penal Code to the present crime is misplaced. The learned Additional Sessions Judge seized of the trial arising out of C.R. No.115 of 2018 registered with Dehu Road Police Station, now culminated in Sessions Case No. 360 of 2018, is hereby directed to take note of observations made by this Court in its order dated 1st October 2018 and 15th October 2018 at the time of conducting trial.

3. Application is disposed of accordingly.

(A.S. Gadkari, J.)