

907- ABA 1361 of 2018

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

ANTICIPATORY BAIL APPLICATION No. 1361 OF 2018

Sandip Balasaheb Banker and Ors.

...Applicants

Vs.

The State of Maharashtra

...Respondent

Mr. Satyajeet P. Dighe for Applicants

Mr. S.S. Pednekar -APP

Mr. E.T. Bhoir, PSI, Pimpalgaon Police Station, Nashik (R)

CORAM : SMT. SADHANA S. JADHAV, J.

DATE: JULY 12, 2018

P.C.

1. Heard. This is an application under section 438 of the Criminal Procedure Code.

2. The Applicants herein are apprehending their arrest in Crime No. 99 of 2018 registered at Pimpalgaon (B) Police Station, Nashik for the offence punishable under Section 307, 143, 147, 149, 427 of the Indian Penal Code. It is a case of cross complaint.

3. Heard the learned counsel for the Applicants. Perused the papers of investigation and the statements of the witnesses and the injury certificates. The certificate would indicate that the injured had sustained simple injuries.

4. The learned counsel for the Applicants submits that in order to maintain peace and tranquility between the families of the Complainant and the Applicants, they have amicably arrived at settlement and decided to forgive each other in the said incident. That they have filed petition seeking quashing of FIR by consent.

5. In view of this, the Applicants deserve to be granted pre-arrest bail. The observations are restricted to application under section 438 of the Criminal Procedure Code and shall not be taken into consideration for the purpose of quashing of FIR, discharge application or at the time of trial. Hence, the following order:

ORDER

(i) Application is allowed.

(ii) In the event of arrest, the Applicants be enlarged on bail on furnishing

P.R. Bond in the sum of Rs.25,000/- each and one or more sureties in the like amount.

The application stands disposed of in the aforesaid terms.

[SMT. SADHANA S. JADHAV, J.]

Vaishali
Anil Tikam

Digitally signed by
Vaishali Anil Tikam
Date: 2018.07.16
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