

FARAD CONTINUATION SHEET No.IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1866 OF 2017

Mukesh M. Varia vs. The State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
--	---------------------------

Mr. Navin Chomal for the Applicant.

Mr. R.M.Pethe, APP for the Respondent-State.

CORAM : A.S.GADKARI, J.

DATE : 6th February, 2018

PC.

1. The applicant is apprehending arrest in CR No. 424/2017 dated 3.10.2017 registered with Dharavi Police Station under Section 326 of the Indian Penal Code.

2. The first information report is lodged by Mr. Prakash Sawant father of the victim namely Master Pranav aged about 15 years. It is stated that on 3.10.2017 at about 10.00 a.m. when Master Pranav was returning from his school, one unknown person unlawfully detained him and thereafter assaulted him with a blade on his left cheek, shoulder and left thigh. The friend of Master Pranav namely Ashish who was accompanying him immediately informed the said fact to the informant and thereafter the present crime is registered.

3. Perused the record of investigation.
4. The record indicates that during the course of investigation the police have arrested the co-accused who had actually assaulted the said Master Pranav. That, during the course of custodial interrogation of the co-accused, it is revealed that, it is the applicant and his brother who had given them a contract of Rs.50,000/- to assault Master Pranav. It further appears from the record that the applicant and his brother Kamlesh are having enmity with Prakash Sawant, father of Master Pranav and due to the said enmity they have given contract to assault his son who is undoubtedly a minor.
5. After perusing the record of investigation, it clearly appears that, the complicity of the applicant in the present crime is apparent. It is the applicant along with his brother paid a sum of Rs.50,000/- to other co-accused to assault the son of the first informant namely Master Pranav.
6. After taking into consideration the serious allegations against the applicant and the gravity of the offence, this Court is of the view that applicant does not deserves to be protected by pre-arrest bail.
7. Application is accordingly rejected.

(A.S.GADKARI, J.)