

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.2200 OF 2018

Pawankumar Dayanand Dixit,
Age 42 years, Occ.Auto Driver,
R/o.Room No.142/1299, Jayrai Mhatre
Chawl, Waghoba Nagar, Near Durga Mandir,
Kalwa (E), Thane.

Applicant

versus

The State of Maharashtra

Respondent

Ms.S.T. Mishra for applicant.

Mr.M.G.Patil, APP, for State.

Mr.Sonawane, PSI, Kalwa Police Station, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 28th November 2018

PC :

1. The applicant was granted interim protection vide order dated 25th October 2018. While granting interim protection the applicant was directed to report the investigating officer of Kalwa Police Station once in a week on every Friday. Learned counsel for applicant has submitted that condition of reporting is complied. The said fact is not disputed by learned APP, on instructions, from the officer who is present in the Court.

2. The applicant is apprehending arrest in CR No.I-274 of 2018 registered with Kalwa Police Station for offences u/s 326, 504, 34 of Indian Penal Code. The FIR was lodged by one Triveni Yadav by complaining that she was assaulted by iron rod by the co-accused. The wife and son of the complainant were also assaulted. The

contention of the applicant was that the applicant had sustained serious injury and cross FIR was lodged vide CR No.I-273/2018 for offences u/s 326 and 504 r/w Section 34 of Indian Penal Code. In the said FIR the applicant has been shown to have been assaulted by the accused. The application for anticipatory bail preferred by the accused in the FIR registered at the instance of applicant was allowed. In the light of aforesaid circumstances and considering the fact that the applicant has complied the condition of reporting, interim order dated 25th October 2018 can be confirmed.

3. Learned APP submitted that injury certificate of the injured in the present case has been received which indicate that the injured had received simple injury.

4. Accordingly I pass following order :

ORDER

- (i) Interim order dated 25th October 2018 is confirmed;
- (ii) In the event of arrest of applicant in connection with CR No.I-274 of 2018 registered with Kalwa Police Station, the applicant may be released on furnishing PR bond in the sum of Rs.20,000/- with one or more sureties in the like amount;
- (iii) The applicant shall not tamper with the evidence;
- (iv) Criminal Anticipatory Bail Application No.2200 of 2018 is disposed off.

(PRAKASH D. NAIK, J.)

MST