

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.430 OF 2018

(Mahadev Uttamrao Bharsakhale ..vs.. The State of Maharashtra, through PSO, PS Amravati)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.V. Sirpurkar, Counsel for the applicant,
Shri V.A. Thakare, Addl.P.P. for the non-applicant.

CORAM : ROHIT B. DEO, J.

DATED : 06-07-2018

The applicant is apprehending arrest in Crime 598/2018 registered with the Police Station Frezarpura, Amravati for offence punishable under Sections 307, 498-A, 506-B, 406, 323 and 504 read with Section 34 of the Indian Penal Code, Sections 3 and 4 of the Dowry Prohibition Act and Section 27(1) of the Arms Act.

2. The incident is the fall out of a matrimonial dispute. The accusation that the applicant brandished the service revolver and threatened to kill the complainant and her daughter would, *prima facie*, not make out an offence under Section 307 of the Indian Penal Code.

3. In the light of the accusation and the material on record, the application shall have to be allowed.

4. The interim order dated 22-6-2018 is confirmed

with the modification that the applicant shall attend the Police Station Frezarpura, Amravati as and when called upon to do so by the Investigating Officer.

JUDGE

adgokar