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

***CRIMINAL BAIL APPLICATION NO.990 OF 2019***

Sultan Rizwan Kungale ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr.P.C.Mohite, for the Applicant.

Mr.V.V.Gangurde, A.P.P for the Respondent - State.

***CORAM : REVATI MOHITE DERE, J.***

***DATE : 28<sup>th</sup> JUNE, 2019***

**P.C. :**

1. This is the second bail application preferred by the applicant.
2. Heard learned counsel for the parties.
3. By this second bail application, the Applicant seeks his enlargement on bail in connection with C.R.No.324 of 2017 registered with the Kurla Police Station, Mumbai, for the alleged offences punishable under Sections 307, 354(A) and 506(2) of the Indian Penal Code.

4. Perused the papers. From the order dated 13<sup>th</sup> April, 2018, it is evident that as the Court was not inclined to enlarge the applicant on bail, the applicant withdrew the application and accordingly the application was dismissed as withdrawn. According to the complainant - Asma, the applicant assaulted her with a knife on her neck, when she was in the house. The applicant had come to the house of the complainant on 6<sup>th</sup> September, 2017 and had questioned her, why she was not attending to his phone calls and why she had given her mobile to her husband. It is alleged that pursuant thereto, the applicant assaulted the complainant. After the assault, the applicant fled from the spot and the complainant was taken to the hospital. The complainant has specifically named the applicant as being the person who assaulted her. The injury certificate shows that the complainant has sustained three grievous injuries on her neck. There are witnesses who had seen the applicant fleeing from the spot. If the applicant is enlarged on bail, the possibility of the applicant threatening the complainant and the witnesses cannot be ruled out.

5. Considering the material against the applicant, this is not a fit case to enlarge the applicant on bail.

6. Hence, the application for bail is rejected and disposed of as such. However, the trial of the applicant is expedited.

7. It is made clear, that the observations made herein are prima facie for deciding the aforesaid application, and the learned Judge shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

***REVATI MOHITE DERE, J.***