

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1144 OF 2019**

Gajanan Raoji Chavan

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Rajesh P. Khobragade a/w Mr. Raj Gupta for the Applicant

Ms. Veera Shinde, A.P.P for the Respondent-State

PSI Mr. V. H. Gholap from Shivaji Park Police Station, is present

CORAM : REVATI MOHITE DERE, J.
WEDNESDAY, 26th JUNE 2019

P.C. :

1 Heard learned counsel for the parties.

2 By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 163 of 2018 registered with the Shivaji Park Police Station, Mumbai, for the alleged offence punishable under Sections 307 and 324 of the Indian Penal Code.

3 Perused the papers. According to the complainant, the applicant was working with the Mumbai Municipal Corporation and she knew him for about five years, She has stated that the applicant would give

loan on interest to the employees of the Mumbai Municipal Corporation. She has stated that in 2014, she took a loan of Rs. 50,000/- from the applicant and she gave an interest of Rs. 3,00,000/- on the said amount. She has alleged that despite giving Rs. 3,00,000/-, the applicant would demand money from her. According to the complainant, on 9th August 2018, at about 6:30 a.m., when she visited the ladies toilet, the applicant was hiding in the said toilet and was armed with a knife. She has alleged that the applicant started assaulting her with the intent to kill her, as a result of which, she suffered injuries on her person. She has stated that the applicant also assaulted the person, who intervened to save her, with the knife. She has stated that thereafter, people gathered on the spot and the applicant was apprehended and the complainant was taken to the Sion Hospital for treatment. The injury certificate shows that the informant has received as many as 20 incised injuries on her person i.e. on right intraorbital region, forehead region, right parietal-occipital region, right side of nose, right shoulder, 2nd web space of right hand, right elbow, right thumb (palmar aspect), left arm, 4th web space of left hand (volar aspect), left index finger, right upper thigh, ulnar aspect of left forearm, left upper back, dorsal aspect of left wrist, dorsal aspect of left hand first web space,

dorsal aspect of left hand on ulnar side. No doubt, some of the injuries are simple, however, there are three grievous injuries, where the tendon of the left hand was cut and the radial nerve of the left arm was badly injured. The person who came to save complainant also received minor incised injuries. There are independent eye-witnesses to the said incident.

4 Although learned counsel for the applicant submits that the applicant was married to the complainant and that no such loan transaction as alleged took place between them, the same is a matter of evidence. *Prima facie*, considering the manner in which the applicant assaulted the complainant, this is not a fit case to enlarge the applicant on bail. The possibility of the applicant again assaulting the complainant, cannot be ruled out.

5 Accordingly, the application is rejected. However, considering the age of the applicant, the trial is expedited. The learned Sessions Judge to conclude the case as expeditiously as possible and preferably within 12 months from the date of receipt of this order.

6 It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

REVATI MOHITE DERE, J.