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

CRIMINAL BAIL APPLICATION NO.1244 OF 2019

Chandrakant Rajaram Salunke	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.Yogiraj Purwant, for the Applicant.

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

Mr.V.V.Purwant, for the Original Complainant.

PSI – G.B.Kolhal, Mankhurd Police Station, Mumbai, is present.

CORAM : REVATI MOHITE DERE, J.

DATE : 26th AUGUST, 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.305 of 2018 registered with the Mankhurd Police Station, Mumbai, for the alleged offences punishable under Sections 307, 309, 326, of the Indian Penal Code, under Sections 4 and 25 of the Arms Act and under Sections 37(1) and 135 of the Maharashtra Police Act.

3. Mr.Purwant, learned counsel for the Respondent No.2 – Complainant has tendered an affidavit of the Respondent No.2/complainant, stating that the applicant and the complainant intend to get married. The said affidavit is taken on record. The other injured – Akash Kamble, has also tendered his affidavit stating that the assault by the applicant on him appears to be an accidental one. The said affidavit is also taken on record.

4. Learned Counsel for the applicant states that the applicant is ready to abide by any of the conditions, that may be imposed by this Court.

5. Perused the papers. According to the prosecution, the complainant, aged about 19 years was studying in standard 12th and was residing with her maternal uncle. The complainant – Sonali, has stated that she met the applicant, aged 24 years, 4 years prior to the incident. She has stated that their acquaintance developed into love affair and that they would speak regularly on phone. She has stated that both had informed their respective families about their relationship, however the complainant's family was not in favour of the said relationship. She has stated that while continuing her education, she was in employment with one Diagnostic

Centre. She has stated that the incident took place on 29th October, 2018. According to the complainant, the applicant was suspecting that the complainant was having an affair with one Akash. According to the complainant, she told the applicant that she was not in love with him but with one Akash, pursuant to which, the applicant assaulted her with a kitchen knife on her neck. It is alleged that when Akash and other colleagues intervened, the applicant assaulted Akash and even inflicted injuries on his himself. The injury certificate of the applicant shows that he too had suffered 3 injuries on his neck, which were self inflicted. The injury certificate of Akash shows that he had sustained one small injury on the backside of the neck and the complainant had also sustained one injury on the neck. The applicant has no antecedents. The applicant is in custody since October, 2018. Investigation is complete and charge-sheet is filed.

6. Considering the aforesaid, the application is allowed and the applicant is enlarged on bail on the following terms and conditions:-

ORDER

- i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount;
- ii) The Applicant shall attend the concerned Police Station, on the first

Saturday of every month, between 10:00 a.m. to 11:00 a.m., till the conclusion of the trial;

iii) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the trial Court as well as to the concerned Police Station, in writing;

iv) The Applicant shall not commit similar offence in future;

v) The Applicant shall co-operate in the conduct of the trial and shall attend the trial Court on every date of hearing, unless exempted by the trial Court;

vi) An undertaking to the aforesaid clauses (ii) to (v), shall be filed by the Applicant, in the Registry of the trial Court, within two weeks of his release;

vii) If there are 2 consecutive defaults either in attending the Police Station or in appearing before the trial Court or breach of any of the conditions as stated above, the prosecution will be at liberty to apply for

cancellation of Applicant's bail.

7. The Application is allowed and disposed of in above terms.

8. 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.

9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.