

Anand

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

**BAIL APPLICATION NO. 1441 OF 2018
(THROUGH JAIL)**

Somesh Laxman Kadam .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. Dilip Mishra, Advocate, for the Applicant
Mr. A. A. Palkar, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 24.06.2019

P.C.

. Heard learned counsel for the parties.

2. By this Application through jail, the Applicant seeks his enlargement on bail in connection with C. R. No. I-600 of 2016 registered with the Mumbra Police Station, Mumbai, for the alleged offences punishable under Sections 307, 498A of the Indian Penal Code and under Section 37(1)135 of the Maharashtra Police Act.

3. Perused the papers. The Applicant and the Complainant got married on 28.09.2015. It was a love marriage. In July, 2016, the Complainant i. e. the Applicant's wife gave birth to a girl child. According to the Complainant, the Applicant would harass her, as the Applicant wanted to give his daughter to his sister, as his sister had no children. It is alleged that on 06.12.2016 at 9.30 p. m., there was a quarrel between the Applicant and the Complainant. The Applicant is alleged to have told the Complainant that they would go to the police station to resolve the same. It is alleged, that on the way to the police station, the Applicant assaulted the Complainant (wife) with a knife on her face, forehead, shoulder and neck. Pursuant thereto, the aforesaid complaint was lodged by the Complainant. The Injury Certificate of the Complainant shows that she has sustained 5 CLW injuries; one on the forehead; two on the cheek; one on the shoulder and one on the neck. The injuries required suturing. The Complainant was admitted in the hospital for three days. If the Applicant is enlarged on bail, the possibility of the Applicant tampering with the witnesses and threatening the Complainant

cannot be ruled out.

4. Since the Applicant is in custody for almost three years, it would be appropriate to direct the learned Sessions Judge to take up the case of the Applicant and decide the same as expeditiously as possible. Accordingly, the trial of the Applicant is expedited. The learned Sessions Judge to conclude the case of the Applicant as expeditiously as possible and in any event within six months from the date of receipt of this order.

5. The Application, accordingly, stands rejected with the aforesaid direction and is disposed of.

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

(REVATI MOHITE DERE, J.)