

Dusane

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

ANTICIPATORY BAIL APPLICATION NO.1992 OF 2019

Rohit @ Bhavdya Rajesh Gaikwad Applicant

Versus

The State of Maharashtra Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO.1538 OF 2019**

Kum. Aniket Deveram Pardhe Applicant

Versus

The State of Maharashtra ... Respondent

Mr. Anil Kamble for the Applicant in ABA No. 1992 of 2019.

Mr. Swapnil R. Chopade Patil i/by Mr. Dheeraj Panchange for
the Applicant in ABA No. 1538 of 2019.

Mr. P.H. Gaikwad, APP for the State.

HC, Mr. P.M. Shinde, Kalyan Taluka Police Station, Thane
Rural, is present.

CORAM : REVATI MOHITE DERE, J.

DATE : 26th SEPTEMBER, 2019

P.C. :

1. Heard learned Counsel for the parties.
2. By these applications, the applicants seek pre-arrest bail in connection with C.R. No 37 of 2019, registered with the Kalyan Taluka Police Station, District Thane, for the alleged offences punishable under Sections 307, 143, 144, 147, 148, 149, 323, 504 of the Indian Penal Code.
3. Perused the papers. According to the prosecution, the incident took place on 21st January 2019 between 5.30 to 6.00 pm. It appears that with regard to the said incident, there is the cross complaint lodged by the applicants side, which was registered vide C.R. No. 38 of 2019 as against the complainant in the present C.R. and others, for the alleged offences punishable under Sections 326, 323, 504, 506, 34 of Indian Penal Code. According to the complainant, in the present C.R., he was assaulted by the applicants with a knife. The injury certificate of the complainant Vijay Pendhare shows that he has sustained an abdominal injury and injuries over his head, lip and both hands. The applicant's brother i.e.

Vishal has also sustained an incised wound on his occipital region (right side) and a lacerated wound on his right parietal region. Both the said injuries are stated to be simple. It appears that during the pendency of these applications, both the parties have amicably settled their dispute.

4. The complainant- Vijay Bhaurao Pendhare in C.R. No. 37 of 2019 is present in Court and has tendered his affidavit. The said affidavit is taken on record. In the said affidavit, the complainant- Vijay has stated that he does not want to proceed with his F.I.R./ complaint the case and has no objection if these applications are allowed.

5. Considering what is stated aforesaid, the applications are allowed and the applicants are granted pre-arrest bail on the following terms and conditions :

ORDER

(i) In the event of the arrest, the applicants be enlarged on bail on executing P.R. Bond in the sum of Rs.15,000/- each with one or two sureties in the like amount ;

(ii) The applicants shall report to the Investigating Officer of the concerned Police Station on 3rd October and 4th October, 2019 between 10.00 a.m. to 1.00 noon, and thereafter as and when called, till filing of the charge-sheet.

(iii) The applicants shall inform their latest place of residence and mobile contact numbers and/or change of residence or mobile details, if any, from time to time to the trial Court as well as to the Investigating Officer of the concerned Police Station, in writing;

(iv) The applicants shall co-operate with the Investigating Agency.

6. The Applications are allowed in the aforesaid terms and is accordingly disposed of.

7. It is made clear, that the observations made herein are *prima facie* and are confined to these applications.

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

REVATI MOHITE DERE, J.