

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

ANTICIPATORY BAIL APPLICATION NO.1648 OF 2018

Banti @ Vishal Padwal	.. Applicant
Versus	
The State of Maharashtra	 Respondent

- Mr. Nitin P. Deshpande for applicant.
- Mr. S. H. Yadav, APP for the State/Respondent.
- Mr. Amey Deshpande for respondent No.2/intervenor.
- Mr. S. S. Panchal, PSI, Manchar P.Stn. Pune Rural.

CORAM : SARANG V. KOTWAL, J.
DATE : 17th JUNE, 2019

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No. I 297 of 2018 registered with Manchar Police Station, for the offences punishable under section 307, 325, 323, 504 and 506 r/w. 34 of the Indian Penal Code. The FIR in this case is lodged by injured Raju Padwal on 19/07/2018. He has mentioned in his FIR that on 18/07/2018 at about 12.30p.m. one of his goats entered the vicinity of the applicant's house. At that time, one Janabai started quarreling with him. She assaulted Raju, the first informant with stick on his head. While this quarrel was going on,

the present applicant drove his pick up van at high speed and drove it on the person of the first informant. The first informant tried to avoid the vehicle, however, he was hit on his left leg. In the mean time, informant's uncle Kisan tried to intervene, but he was also assaulted by the applicant with Hockey stick. Based on these allegations, the FIR was lodged.

2. Heard Shri. Deshpande, learned counsel for the applicant and Shri. Yadav, learned APP for the State. Shri. Deshpande invited my attention to the FIR lodged by Janabai's daughter Sharda in respect of the same incident. That FIR was lodged vide No.294 of 2018 on 18/07/2018 itself at about 3.30p.m. It is mentioned in that FIR that the first informant Raju in C.R.No.297/18 had outraged the modesty of Janabai and her daughter Sharda and had assaulted Vishal i.e. present applicant. Shri. Deshpande pointed out that C.R.No.294/18 was lodged immediately. He submitted that the FIR against the present applicant is lodged as an after thought on the next day and therefore, the applicant is falsely implicated. Learned APP produced investigation papers. The investigation papers contains

medical certificates of the injured Raju and Vishal. The injury certificate shows that Raju had suffered fracture to his left leg. This fact corroborates the story mentioned in the FIR by Raju. Therefore, prima facie serious offence is committed by the applicant. The matter requires investigation and custodial interrogation of the applicant is necessary. There is no merit in the application. The application is rejected.

(SARANG V. KOTWAL, J.)