

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR.

Criminal Application (ABA) No.177 of 2019
(Ashok Meghraj Chhaddani @ Saddani .vs. State of Maharashtra through
PSO PS Karanja Lad.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders.

Mr. J.B. Kasat, Advocate for Applicant.
Mr. A.D. Sonak, APP for Non-applicant/State.

CORAM : Manish Pitale, J.
DATED : June 24, 2019.

The applicant herein has approached this Court for grant of anticipatory bail in respect of the offences registered against him and other co-accused as per FIR dated 16.01.2019, for having allegedly committed offences under Sections 323, 325, 326, 504, 506, 147, 148 and 149 of the IPC. It is informed by the learned counsel for the applicant that during the pendency of the application, an offence under Section 307 of the IPC has also been added against the accused including the applicant herein.

2. The learned counsel for the applicant points out that there is a property dispute between the complainant and the accused herein and that they are related to each other. It is further pointed out that with regard to the incident that took place on 12.01.2019, on the very same day, at the behest of the applicant an FIR was registered against the wife of the complainant and other relatives for having committed offences under Sections 436, 323, 504, 506 and 34 of

the IPC. It is pointed out that while the said FIR was registered on the very same day of the incident, counter FIR against the applicant and others at the behest of the complainant was registered after four days on 16.01.2019, indicating that this was nothing but a counter-blast.

3. In these circumstances while issuing notice, this Court granted ad-interim anticipatory bail to the applicant in the following manner:-

"The applicant is granted ad-interim anticipatory bail. In the event of arrest in connection with Crime No.11 of 2019 registered by Police Station, Karanja Lad, District Washim, the applicant be released on bail on furnishing PR bond of Rs.25,000/- (rupees twenty five thousand) with one solvent surety in the like amount, on the following conditions.

The applicant shall attend the Police Station, Karanja Lad, District Washim once in a week i.e. on every Sunday in between 10.00 a.m. and 05.00 p.m.

The applicant shall cooperate with the investigating agency."

4. It is further pointed out by the learned counsel for the applicant that the other co-accused i.e. his wife was released on anticipatory bail and his sons were released on regular bail. These facts are not disputed by the learned APP appearing on behalf of the non-applicant/State.

5. The facts noted above clearly indicated that there are counter FIRs in the present case in respect of the same alleged incident and that while the FIR against the wife of the complainant and others was registered on

the very same day on 12.01.2019 at the behest of the applicant, the counter FIR registered against the applicant and others at the behest of the complainant for the very same alleged incident was registered on 16.01.2019. At this stage, it appears to be a counterblast against the applicant and others and since the applicant has been cooperating with the investigation and all other co-accused have been already released on bail, this Court is of the opinion that the present application deserves to be allowed.

6. Accordingly, the present application is allowed and the applicant is granted anticipatory bail on the same terms on which he was granted ad-interim anticipatory bail by this Court by order dated 20.03.2019. The application shall continue to attend the said Police Station till the filing of the charge-sheet.

JUDGE

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