

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

Criminal Application (ABA) No. 410 of 2019

Irfan Turak and Anr.

Vs.

State Through P.S. Amgaon Dist. Gondia

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

Court's or Judge's orders

Mrs. Deepa I. Charlewar, Advocate for applicant.
Mr. V.P. Maldhure, APP for non-applicant.

CORAM : MANISH PITALE, J.

DATED : JULY 11, 2019

The applicants herein have approached this Court apprehending arrest in connection with FIR dated 18/05/2019, registered against them and another accused person under Sections 323, 324 R/w 34 of the Indian Penal Code.

2. The allegations in the FIR indicate that the applicants herein assaulted the relatives of the complainant with stick and stones, resulting in serious head injury to one of the victims and injury on the hand of the other. The complainant herein is the uncle of the sister-in-law of the applicant No.1 and it appears that the root cause of the incident is a dispute between two families. This is also reflected in the form of a cross FIR filed subsequently in the very same Police Station at the behest of father of the applicant No.1 regarding the same incident, wherein allegations have

been made that it was in fact the complainant party, who had reached the house of the applicant No.1 and indulged in violence.

3. Although, there are cross FIRs in the present case, the learned APP is justified in pointing out that injuries suffered by the victims are serious and one of the victim is still admitted in the Hospital with head injury. But, since the present case appears to be the result of dispute between two families and there is also FIR filed by father of the applicant No.1 herein, conditional anticipatory bail can be granted to the present applicant.

4. In view of the above, the present application is allowed and the applicants are granted anticipatory bail on the following conditions.

a) In the event, the applicants are arrested in Crime No.127 of 2019, registered at Police Station Amgaon Dist. Gondia, they shall be released on furnishing PR bond of Rs.25,000/- each and surety in the like amount.

b) The applicants shall not enter the area of Civil Lines, Noori Chowk Dist. Gondia where the complainant party resides.

c) The applicants shall attend Police Station Amgaon Dist. Gondia once in every week between 10:00 AM to 5:00 PM,

d) The applicants shall co-operate with the investigation.

e) They shall not tamper with the evidence or influence the witnesses.

5. Application is allowed in above terms.
Hamdast is granted.

JUDGE