

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

CRIMINAL APPLICATION (ABA) NO.612/2019

Sayed Imran Sayed Ismail

..VS..

State of Mah., thr. PSO PS Nagpuri Gate, Amravati, Taluka and District
Amravati

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

Court's or Judge's Order

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Shri S.D.Dharaskar, Counsel for the Applicant.
Shri S.S.Doifode, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.
DATED : SEPTEMBER 17, 2019.

1. The applicant is apprehending his arrest in connection with Crime No.227/2019 registered with Nagpuri Gate Police Station, District Amravati for offences under Sections 326 and 341 of the Indian Penal Code.
2. Heard learned counsel Shri S.D.Dharaskar for the applicant and learned Additional Public Prosecutor Shri S.S.Doifode for the State.
3. Reply filed on behalf of the State, shows that on 9.7.2019 complainant Shaikh Shoeb Shaikh Rafique along with one Firoz were proceeding from Lalkhedi to Navsari Road on a motorcycle. At that time, the applicant obstructed the motorcycle and asked the complainant as to why he is not sending his sister along with his brother.
4. Here, it is to be mentioned that there is

matrimonial dispute between sister of the complainant and brother of present applicant.

5. As per the prosecution case, the present applicant assaulted the complainant by means of knife on legs.

6. On 30.8.2019, this Court granted *interim* protection in favour of the present applicant with directions to the applicant that he shall attend the police station from 5.9.2019 to 10.9.2019 and shall be with Investigating Officer from 11:00 a.m. to 5:00 p.m..

7. Reply filed on behalf of the State, shows that accordingly the applicant attended police station. Reply further shows that when the applicant joined investigation, Investigating Officer seized knife and clothes of the applicant.

8. In view of the aforesaid, in my view, custodial presence of the applicant is not necessary. Consequently, I pass following order:

ORDER

(i) The criminal application is allowed.

(ii) In the event of arrest of applicant-Sayed Imran Sayed Ismail, in connection with Crime No.227/2019 registered with Nagpuri Gate Police Station, District Amravati for offences under Sections 326 and 341 of the Indian Penal Code, the applicant be released on bail on he executing a P.R.Bond in the sum of Rs.10,000/- with one solvent surety of the like amount.

(iii) The applicant shall attend the police station as and when he is directed by Investigating Officer, till filing of charge sheet.

(iv) With this, the criminal application stands disposed of accordingly.

JUDGE

!! BRW !!

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