

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

CRIMINAL APPLICATION (ABA) NO. 727 OF 2019

Ravindra s/o Ashokrao Parise .Vs. State of Maharashtra, PSO, P.S. Deoli,
Dist. Wardha.

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

Mr. Mahesh Rai, Advocate for applicant.
Mr. M.J. Khan, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.
DATED : NOVEMBER 11, 2019

Heard Mr. Rai, learned counsel for the applicant and Mr. Khan, learned Additional Public Prosecutor for the non applicant-State. Also perused the reply filed on behalf of the State.

The applicant is apprehending his arrest in connection with Crime No. 781/2019 registered with Police Station, Deoli, Dist. Wardha for an offence punishable under Section 326 read with Section 34 of the Indian Penal Code.

The first informant report is lodged by Dinesh Dhurve on 07.10.2019. According to the report and according to the reply filed on behalf of the State, the complainant and one Mangesh Gedam went to consume liquor at bank of river. At that time present applicant abused complainant. As per reply, the complainant was assaulted by Pavan Bawane and Sagar Parise by means of plastic pipe stick on his head. As per reply, the role of the applicant was that he started quarrel, however it is not the case of the prosecution that applicant assaulted by any weapon on the injured. The reply would show that three accused persons were arrested and they were already released on bail.

The application is opposed on the basis that applicant is habitual offender. The list of crime annexed along with reply would show that none of the related to the bodily offence and it was under the Prohibition Act and for that the applicant was released by the competent Court.

In view of the fact that present crime is bodily offence and applicant has not participated in the actual assault on the injured. In my view, interim protection granted by this Court on 22.10.2019 needs to be confirmed that leads me to pass following order :

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest in connection with Crime No. 781/2019 registered with Police Station, Deoli, Dist. Wardha for an offence punishable under Section 326 read with Section 34 of the Indian Penal Code, applicant – Ravindra s/o Ashokrao Parise, be released on bail on he executing P.R. Bond in the sum of Rs.10,000/- with one solvent surety in the like amount.
- (iii) Applicant is directed to attend Police Station, Deoli, Dist. Wardha thrice a week i.e. on every Tuesday, Wednesday and Friday and shall be with the investigating officer from 11:00 a.m. to 04:00 p.m. till filing of the charge-sheet.

The application is disposed of.

JUDGE