

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

CRIMINAL APPLICATION (ABA) NO. 744 OF 2019

Mahadev s/o Bhimrao Sirsat and another .Vs. State of Maharashtra,through
P.S.O, P.S. Khadan, Akola.

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

Court's or Judge's orders.

Mr. K.H. Anandani, Advocate for applicants.
Mr. S.M. Ghodeswar, A.P.P. for non applicant- State.

CORAM : V. M. DESHPANDE, J.
DATED : NOVEMBER 25, 2019

Heard Mr. Anandani, learned counsel for the applicants and Mr. Ghodeswar, learned Additional Public Prosecutor for the non applicant-State. Also perused the reply filed on behalf of the prosecution.

The applicants are apprehending their arrest in connection with Crime No.552/2019 registered with Police Station, Khadan, Akola for an offence punishable under Sections 143, 147, 148, 149, 336, 307, 324, 294 and 506 of the Indian Penal Code.

The incident is dated 14.10.2019. The report is lodged by Smt. Kalpana Chaware. As per report, on 13.10.2019 at about 07:00 p.m. when she was proceeding towards Jetvan Nagar Square she was stopped by the present applicants in front of house of one Charita Arakhrao there took verbal quarrel. According to the prosecution case, at that time co-accused Sidharth Sirsat assaulted on her by fist blows. Nature of accusation against present applicants is that he has used abusive language to the complainant. It is also prosecution case that in the meanwhile other co-

accused person came there and assaulted on complainant by means of weapons in their hands.

Allegation against present applicants is that they used abusive language. It is not the prosecution case that applicant used any force on the complainant or any other person. It is not the prosecution case that present applicants were holding any weapon.

Looking to the aforesaid nature of the accusation against present applicants who are already protected by this Court vide order dated 01.10.2019 and they have already joined the investigation as per direction given in the said order, in my opinion, personal liberty of present applicants can be protected. Consequently, I pass following order:

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest in connection with Crime No.552/2019 registered with Police Station, Khadan, Akola for an offence punishable under Sections 143, 147, 148, 149, 336, 307, 324, 294 and 506 of the Indian Penal Code, applicant no.1 – Mahadev s/o Bhimrao Sirsat and applicant no.2 – Sugat s/o Mahadev Sirsat be released on bail on they executing PR. Bond in the sum of Rs.10,000/- each, with one solvent surety each in the like amount.
- (iii) Applicants are directed to attend Police Station, Khadan, Akola once a week i.e. on every Thursday and shall be with the investigating officer from 11:00 a.m. to 03:00 p.m., till filing of the charge-sheet.

The application is disposed of.

JUDGE