

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

CRIMINAL APPLICATION (BA) NO.1061/2019

Shri Dinkar Tulshiram Kharat

..vs..

State of Mah., thr. Police Station Khadan, Taluka and District Akola

AND

CRIMINAL APPLICATION (BA) NO.1064/2019

Tejrao s/o Sadashiv Shirsat

..vs..

State of Mah., thr. PSO PS Khadan, Akola

AND

CRIMINAL APPLICATION (BA) NO.1065/2019

Gautam s/o Bhimrao Shirsat

..vs..

State of Mah., thr. PSO PS Khadan, Akola

AND

CRIMINAL APPLICATION (BA) NO.1066/2019

Avinash s/o Seshrao Shirsat

..vs..

State of Mah., thr. PSO PS Khadan, Akola

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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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CRI.APPLICATION (BA) NO.1061/2019

Shri A.R.Deshpande, Counsel for the Applicant.

Shri M.J.Khan, Addl.P.P. for the State.

CRI.APPLICATION (BA) NO.1064/2019

Shri K.H.Anandani, Counsel for the Applicant.

Shri M.J.Khan, Addl.P.P. for the State.

CRI.APPLICATION (BA) NO.1065/2019

Shri K.H.Anandani, Counsel for Applicants.

Shri M.J.Khan, Addl.P.P. for the State.

CRI.APPLICATION (BA) NO.1066/2019

Shri K.H.Anandani, Counsel for the Applicants.

Shri M.J.Khan, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.

DATED : DECEMBER 02, 2019.

1. These 4 applications for grant of regular bail are decided and disposed of by this common order since applicants in these applications are arrested in connection with Crime No.552/2019 registered with Khadan Police Station, Akola for offences punishable under Sections 143, 147, 148, 149, 336, 307, 324, 294, and 506 of the Indian Penal Code.

2. Heard learned counsel Shri A.R.Deshpande for the applicant in Criminal Application No.1061/2019, learned counsel Shri K.H.Anandani for applicants in Criminal Application Nos.1064, 1065, and 1066/2019, and learned Additional Public Prosecutor Shri M.J.Khan for the State. Also, perused reply filed on behalf of the State.

3. From the reply filed on behalf of the State, it is clear that for incident dated 13.10.2019 two First Information Reports were lodged. First in time was lodged by Sau.Kalpana Yashwant Chaware registered as Crime No.552/2019 in which applicants are arrested. Whereas, another was lodged by Sau.Pushpabai Tejrao Shirsat registered as Crime No.553/2019 in which some of eyewitnesses are accused in Crime No.552/2019.

4. As per prosecution case, in Crime No.552/2019,

.....3/-

first informant Kalpana Chaware, after religious function which was held in house of her brother Balu, was proceeding in locality for inviting women for dinner and when she was in front of house of one Charita, co-accused Sugat Shirsat, Siddharth Shirsat, and Mahadeo Shirsat were standing and they laughed at her. Also, they used abusive language. Thereafter, as per the prosecution case, Siddharth slapped and assaulted her by fists blows. When she fell down, Siddharth tried to strangle her. As per the prosecution case, present applicants, who were also present, assaulted by throwing bricks. Injured Kalpana, Deepak, and Ajay are already discharged from hospital.

5. Applicants are in jail since one and half month. Investigation *qua* them is already over. Stick is recovered from Dinkar though it is not statement of first informant that he used stick.

6. In totality of circumstances and the fact that investigation is almost over and only formality of filing of chargesheet is remained to be done, I am of opinion that discretion can be exercised in favour of applicants. Hence, I pass following order:

ORDER

(a) Criminal applications are allowed.

(b) Applicants Dinkar Tulshiram Kharat, Tejrao s/o Sadashiv Shirsat, Gautam s/o Bhimrao Shirsat, Santosh s/o Bhimrao Shirsat, Sharad Nagorao Shirsat, and Avinash s/o Seshrao

Shirsat, in connection with Crime No.552/2019 registered with Khadan Police Station, Akola for offences punishable under Sections 143, 147, 148, 149, 336, 307, 324, 294, and 506 of the Indian Penal Code, be released on bail on their executing a P.R.Bond in the sum of Rs.10,000/- by each of them with one solvent surety of the like amount by each of them.

(c) Applicants are directed to attend the police station once in a week, till chargesheet is filed.

(d) After filing of chargesheet, applicants are directed to attend the police station once in a month, until Trial is over.

With this, criminal applications stand disposed of accordingly.

JUDGE

!! BRW !!

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