

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

CRIMINAL APPLICATION (ABA) NO.86 OF 2020

(Mohammad Javed s/o Mohammad Yusuf ..vs.. State of Maharashtra, through PSO, PS Akot (Rural))

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

Court's or Judge's orders

Shri A.B. Mirza, Counsel for the applicant,
Shri P.S. Tembhare, Addl.P.P. for the non-applicant.

CORAM : ROHIT B. DEO, J.

DATED : 25-02-2020

The applicant is apprehending arrest in connection with Crime 337/2019 registered at Police Station Akot (Rural) for offences punishable under Sections 307, 324, 143, 147, 148, 149 and 294 of the Indian Penal Code and Sections 4 and 25 of the Arms Act.

2. Vide order dated 10-2-2020 (Coram : V.M. Deshpande, J.) this Court protected the applicant and directed him to attend Police Station Akot (Rural) from 12-2-2020 to 20-2-2020 from 11-00 a.m. to 5-00 p.m. It is not in dispute that the applicant has attended Police Station Akot (Rural), as directed.

3. The incident occurred on 20-8-2019. According to the applicant, there is a civil dispute between the family of the applicant and the family of the informant as regards ancestral land. On the issue of informant's

family digging septic tank adjacent to the boundary wall of the applicant's house, there was a physical altercation. Admittedly, two separate reports are lodged. The members of the informant's family are arrayed as accused in First Information Report 338/2019 while the applicant and his family members are arrayed as accused in First Information Report 337/2019.

4. It is not in dispute that the applicant suffered injuries due to the assault. The applicant was initially hospitalized at Government Medical Hospital, Akot and then shifted to Medical College, Nagpur. It is further not in dispute that the investigation is complete and charge-sheets are filed. It is not the case of the prosecution that anything is to be recovered from the applicant.

5. In this view of the matter, the application is allowed.

6. Interim order dated 10-2-2020 is made absolute with the modification that the applicant shall attend Police Station Akot (Rural), as and when directed by the Investigating Officer, till the additional/supplementary charge-sheet against the applicant is filed.

JUDGE

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