

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

CRIMINAL APPLICATION (BA) NO.566 OF 2020

(Pawan @ Sandeep s/o Omprakash Sharma Vs. State of Maharashtra thr. PSO PS
Barshitakli, Tah. Barshitakli, Dist. Akola)

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

Court's or Judge's orders.

Mr. Anil Mardikar, Senior Counsel with Mr. Nikhil R. Tekade, Advocate for
Applicant.

Mr. J.Y. Ghurde, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.

DATE: 26th OCTOBER, 2020.

Hearing was conducted through video conferencing and the learned counsel agreed that the audio and visual quality was proper.

2] Heard.

3] The applicant is seeking regular bail in connection with Crime 229/2020 registered with Police Station Barshitakli, Tahsil Barshitakli, District Akola for offence punishable under section 307, 504 read with section 34 of the Indian Penal Code and section 4, 25 of the Arms Act.

4] The applicant is in custody since 14.05.2020. The investigation is complete and the charge-sheet is filed.

5] Adverting to the merits, it appears that the genesis of the incident lies in a family dispute pertaining to property. The applicant is nephew of the complainant.

6] It further appears that the complainant is also facing accusations levelled by either the applicant or his immediate family.

7] There is no reason why the applicant should languish in custody.

8] Moreover, a statement is made by the learned Senior Counsel Mr. Mardikar, on instructions, that the dispute is settled and that the family of the applicant has withdrawn the allegations and similarly the complainant has also made peace with the applicant and his immediate family. The complainant has filed on record affidavit dated 22.10.2020 stating that he has already communicated to the Investigating Officer that he did not wish to precipitate the matter and is desirous of settling the dispute amicably.

9] Considering the nature of the allegations and the affidavit of the complainant, the applicant is entitled to bail.

10] The Application is allowed.

[i] The applicant be released from custody on furnishing personal bond of Rs. 25,000/- with a

surety of like amount. In view of the prevailing situation, the surety may be furnished within four weeks from the release.

[ii] The applicant shall not make any attempt to influence the witnesses or tamper with the evidence.

[iii] The applicant shall attend the dates of hearing regularly.

[iv] The applicant shall not leave the country without the permission of the jurisdictional court.

JUDGE