

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

LD-VC/CRIMINAL APPLICATION (BA) NO. 419 OF 2020

Siddharth S/o Dhyaneshwar Patil

...Versus...

The State of Maharashtra, Through Police Station Officer, Police Station Karanja
(Rural), Tq. Karanja (Lad), Distt-Washim

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

Court's or Judge's orders

Shri. D.B. Mahajan, Counsel for applicant
Ms Udeshi, APP for non-applicant

CORAM : AVINASH G. GHAROTE, J.

DATE : 16/07/2020

Hearing was conducted through Video Conferencing and the learned counsel agreed that the audio and visual quality was proper.

Heard Mr. Mahajan, learned counsel for the applicant, who is prosecuted for the offences punishable under Sections 307, 506 of Indian Penal Code read with Sections 3, 4 and 25 of the Arms Act under Crime No.51/2020 dated 23.02.2020, registered with Police Station Karanja (Rural), District - Washim.

It is the contention that there was no intention on the part of the applicant to cause any harm to his wife. Both the applicant and his wife are police constables, having marital discord, due to which they are residing separately since last more than eight months. The applicant is presently posted at Bramhapuri, District-Chandrapur, whereas, the

complainant wife is posted at Chandrapur.

Though the learned Additional Public Prosecutor opposes the grant of bail, considering the nature of the incident as stated out in the FIR and as the charge-sheet has been filed on 27.03.2020, the applicant is entitled to release on regular bail. The apprehension expressed on the part of the non-applicant can be taken care of by imposing certain conditions on the applicant. I, therefore, pass the following order.

- (i) The applicant be released on bail for the offence punishable under Sections 307, 506 of Indian Penal Code read with Sections 3, 4 and 25 of the Arms Act under Crime No.51/2020 dated 23.02.2020 registered with Police Station Karanja (rural), District - Washim on his furnishing P.R. bond in the sum of Rs. 35,000/- with one surety in like amount.
- (ii) The applicant shall not enter the city of Chandrapur till the trial is completed, except on the dates on which the trial is conducted, as tried by the Sessions Court.
- (iii) The applicant shall not in any way influence or tamper the evidence or the prosecution witnesses.

The application is accordingly allowed in the above terms.

The order be communicated to the counsel appearing for the parties, either on the email address or on WhatsApp or by such other mode, as is permissible in law.

JUDGE

J.Pethe

Rajesh
Nandurkar

Digitally signed
by Rajesh
Nandurkar
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2020.07.16
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