

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

CRIMINAL APPLICATION (ABA) NO. 706 OF 2020

(Yuvraj s/o Ratan Ingale ..vs.. State of Maharashtra, through PSO, Washim (City))

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

Court's or Judge's orders

Mr. M.L. Vairagade, Counsel for the applicant,
Mrs. S.S. Jachak, Addl.P.P. for the non-applicant/State.

CORAM : ROHIT B. DEO, J.

DATED : 04-12-2020

The applicant is apprehending arrest in Crime 732/2020 registered with Washim (City) Police Station for offences punishable under Sections 307, 504, 506, 143, 146, 147 and 149 of the Indian Penal Code.

2. It is not in dispute that an incident occurred on 01-8-2020 qua which there are two different versions and two cross reports. It further appears that in the incident, a person belonging to the applicant's faction one Ganesh Gaikwad lost his life and an offence punishable under Section 302 of the Indian Penal Code is registered. It further appears that it is the applicant who lodged the first report and the report implicating the applicant and other is subsequently lodged.

3. Adverting to the facts of the present application, it is alleged that the applicant was armed with an iron rod and that he attempted to assault one Putalibai on the

head. Putalibai took evasive action and the blow struck her hand. Perusal of the injury certificate reveals that the injury on the wrist is described as an abrasion.

4. Considering that there are two rival versions, that it is in fact a member of the faction of the applicant who lost his life and that the injury suffered by Putalibai *prima facie* may not have been caused by an iron rod, the applicant is entitled to pre-arrest protection subject to certain conditions.

5. In the event of arrest in Crime 732/2020 registered with Washim (City) Police Station for offences punishable under Sections 307, 504, 506, 143, 146, 147, 149 of the Indian Penal Code, the applicant shall be released on personal bond of Rs.25,000/- with a solvent surety of like amount.

6. The applicant shall attend the concerned police station on 9th, 10th and 11th December, 2020 between 11-00 a.m. to 3-00 p.m. and shall cooperate with the Investigating Officer.

7. The period of attendance shall be treated as deemed custody for the purpose of Section 27 of the Indian Evidence Act.

8. The applicant shall not make any attempt to influence the witnesses.

9. The applicant shall not leave the country without the permission of the trial Court.

JUDGE

adgokar