

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

CRIMINAL APPLICATION (ABA) NO. 711 OF 2020

(Devidas s/o Bhagaji Khandarkar ..vs.. State of Maharashtra, through PSO, Yavatmal (Rural))

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

Court's or Judge's orders

Mr. M.P. Kariya, Counsel for the applicant,
Mr. N.R. Rode, Addl.P.P. for the non-applicant.

CORAM : ROHIT B. DEO, J.

DATED : 09-12-2020

The applicant is apprehending arrest in Crime 534/2020 registered with Yavatmal (Rural) Police Station for offence punishable under Section 326 of the Indian Penal Code.

2. Having heard the learned Counsel Mr. M.P. Kariya and having perused the case diary, I am not inclined to exercise discretion in favour of the applicant.

3. The incident allegedly occurred on 05-10-2020. The report is lodged by the wife of the injured. The version of the informant, the injured and as many as seven eyewitnesses is consistent. The applicant allegedly mercilessly assaulted the injured with stick, causing as many as three injuries, one of which is grievous (fracture of the leg).

4. According to the prosecution, the weapon is to be recovered. Even otherwise considering the brutal

manner in which the injured was assaulted in full public view, and with impunity, the application deserves dismissal.

5. The application is dismissed.

JUDGE

adgokar