IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.
CRIMINAL APPLICATION (BA) NO. 1116 OF 2019

Laxman s/o Dnyanba Gawli .Vs. State of Maharashtra, Through PSO, P.S. Washim (Rural), Dist. Washim.

Office Notes, Office Memoramda of Coram, appearances, Court's orders of directions and Registrar's Orders.	Court's or Judge's orders.

Mr. A.M. Jaltare, Advocate for applicant.
Mr. S.M. Ghodeswar, A.P.P. for non applicant- State.

CORAM : V. M. DESHPANDE, J.
DATED : JANUARY 03, 2020

Heard Mr. Jaltare, learned counsel for the applicant and Mr. Ghodeswar, learned Additional Public Prosecutor for non applicant-State.

2. Applicant is arrested on 13.05.2019 in relation to Crime No.118/2019 registered with Police Station, Washim (Rural), District Washim for an offence punishable under Section 302 read with Section 34 of the Indian Penal Code.

3. Investigation is over and charge-sheet is already filed.

4. Incident in question has occurred in the intervening night of 10.05.2019 and 11.05.2019 in the courtyard of one Rambhau Kamble, relative of first informant Kamal. Rambhau was not present in his house at the time of incident and was at a different village. Deceased is Kisan, husband of first informant Kamal. As per report, Savita daughter of the first informant was married with one

Vishawanath Gaikwad. They were not pulling well with each other. As per First Information Report (FIR), on 10.05.2019 when first informant and her husband, the deceased were sleeping on cot, that time she heard voice of her husband, to notice that her son-in-law Vishwanath was running away from place of the incident. Deceased suffered injury on his knees.

Even according to FIR, the applicant was not present on the spot though it is stated in the FIR that there was one person standing away from the spot of the incident. No test identification parade is conducted in the present matter and there is no recovery from the applicant. In that view of the matter, I pass the following order:

ORDER

(i) The application is allowed.

(ii) Applicant-Laxman s/o Dnyanba Gawli be released on bail in connection with Crime No.118/2019 registered with Police Station, Washim (Rural), District Washim for an offence punishable under Section 302 read with Section 34 of the Indian Penal Code, on he executing P.R. bond in the sum of ₹10,000/- with one solvent surety in the like amount.

(iii) Applicant is directed to attend Station, Washim (Rural),District Washim once in 15 days and shall be with the investigating officer from 03:00 p.m. to 05:00 p.m. till culmination of the trial.

The application is disposed of.

JUDGE

srwagh