

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO. 339 OF 2021

1] Dadasaheb s/o. Baburao Khindkar,

2] Samadhan S/O. Baburao Khindkar

3] Avinash s/o. Lobhaji Patole

4] Baburao s/o. Haribau Khindkar,

5] Jyotiram s/o Kundlik Bhate,

6] Mahadeo s/o Motiram Matkar,

7] Motiram s/o Suryabhan Matkar,

8] Shankar s/o Vilas Kadam,

9] Kundlik s/o Vishwanath Bhate,

10] Laxman s/o Bansi Satpute,

11] Shahadeo s/o Motiram Matkar,

12] Machindra s/o Asaram Chavan,

13] Baba s/o Rambhau Satpute

. . .APPLICANTS

VERSUS

The State of Maharashtra

. . .Respondent

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Mr. M.V. Salunke for Applicants

Mrs. Vaishali Chaudhari, A.P.P for Respondent

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WITH

ANTICIPATORY BAIL APPLICATION NO. 477 OF 2021

1] Dadasaheb s/o Baburao Khindkar,

- 2] Samadhan s/o Baburao Khindkar,
- 3] Jyotiram s/o Kundlik Bhate,
- 4] Kundlik s/o Vishwanath Bhate,
- 5] Mahadeo s/o Motiram Matkar,
- 6] Shahadeo s/o Motiram Matkar,
- 7] Motiram s/o Suryabhan Matkar,
- 8] Laxman s/o Bansi Satpute,
- 9] Babu s/o Bhagan Maskar,
- 10] Machindra s/o Asaram Chavan,
- 11] Amol s/o Masuram Dhepale,
- 12] Shankar s/o Vilas Kadam

. . . APPLICANTS

VERSUS

The State of Maharashtra

. . . RESPONDENT

AND

ANTICIPATORY BAIL APPLICATION NO. 326 OF 2021

- 1] Parmeshwar Kachru Satpute,
- 2] Ankush Kachru Satpute,
- 3] Hanuman Sakharam Nirdhar,
- 4] Ashok Bhagwan Satpute,
- 5] Ram Ganpat Shinde,
- 6] Keshav Hanuman Nirdhar,
- 7] Sunil Hanuman Nirdhar,
- 8] Uttreshwar Sakharam Bhate,

- 9] Gorakh Aasaram Bhate,
- 10] Aba Dadarao Satpute,
- 11] Krushna Genabhau Satpute,
- 12] Lahu Sakhrum Bhate,
- 13] Bhaskar Nagurao Satpute,
- 14] Mahadeo Ganpat Shinde,
- 15] Kachru Tatyaba Satpute,
- 16] Sakhrum Dnyanoba Bhate,
- 17] Asaram Dnyanoba Bhate,
- 18] Jalindar Asaram Bhate,
- 19] Rajendra Shahadeo Satpute,

All R/o :Babhulwadi, Tal. Dist. Beed.

. . . PETITIONERS

VERSUS

The State of Maharashtra

. . . RESPONDENT

Mr. Z.H.Farooqui, Advocate holding for Mr. N.V.Gaware, Advocate for
Petitioners

Mrs. Vaishali Chaudhari, A.P.P. for Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO. 328 OF 2021**

- 1] Parmeshwar Kachru Satpute,
- 2] Ankush Kachru Satpute,
- 3] Hanuman Sakhrum Niradhar,
- 4] Ashok Bhaskar Satpute,
- 5] Shahadeo Sonaji Bhate,

6] Babu Rama Satpute,

7] Mahadeo Ganpat Shinde,

8] Bapu Ganpat Shinde,
All R/o Babbhulwadi, Tal.
Dist. Beed.

. . . PETITIONERS

VERSUS

The State of Maharashtra

. . . RESPONDENT

.....
Mr. Z.H.Farooqui, Advocate holding for Mr. N.V.Gaware, Advocate for
Petitioners
Mrs. Vaishali Chaudhari, A.PP for Respondent

CORAM : PRAKASH D. NAIK J.

DATE : 6TH OCTOBER, 2021.

PER COURT:

1] The applicants in these applications are apprehending arrest and hence, preferred relief under Section 438 of Cr.P.C. Anticipatory Bail Application No. 339 of 2021 is preferred by the applicants in Crime No. 24 of 2021 registered with Shivaji Nagar police Station, Beed under Sections 395, 307, 427, 452, 504, 506 of IPC. The said FIR was lodged by Parmeshwar Kachru Satpure. It was alleged that on 28.1.2021, while the complainant was at home, the applicants and others had formed an unlawful assembly. They were armed with weapons. They attacked the complainant. They caused damage to the vehicle and took away cash of Rs. 1 Lakh and gold weighing 2 Tolas. The FIR was registered on 29.1.2021.

2] Anticipatory bail application No. 477 of 2021 was preferred by the applicants therein, apprehending arrest in Crime No. 17 of 2021 registered

with Pimpalner Police Station for the offence under Section 143, 147, 148, 149, 395, 427, 504, 506 of IPC. This FIR was lodged on 29.1.2021 by Ankush Satpute. It is alleged that on 28.1.2021, complainant was at petrol pump. The accused pelted stones on the head of Ganesh Satpure. The accused approached the complainant on account of Gram Panchayat elections and weapon was pointed at him. One of the accused took away the amount of Rs. 10,000/-. They also caused damage to the motorcycle of the complainant and threatened him.

3] Anticipatory bail application No. 326 of 2021 is preferred by the applicants therein, apprehending arrest in connection with Crime No. 16 of 2021 registered with Pimpalner police station, Dist. Beed under Sections 143, 147, 148, 149, 307, 395, 341, 427, 323, 504 and 506 of IPC. The said FIR was lodged by Mahadeo Motiram Matkar. It was alleged that on 29.1.2021, the complainant had been to Pimpalner for cutting hair. Since the shop was closed, he went towards Babhulwadi village. Accused Parmeshwar Kachru Satpute and others stopped him and on the issue of Gram Panchayat elections, knife was pointed at him and gold chain belonging to him as well as cash Rs. 4,000/- was taken away. The accused also tried to assault him with knife but he evaded the blow. The person accompanying the complainant was assaulted by Ankush Satpute with knife on his shoulder and other accused assaulted with stick and stone. They also caused damage to the vehicle.

4] Anticipatory Bail Application No. 328 of 2021 was preferred by the applicants therein in connection with Crime No. 27 of 2021 registered with Shivaji Nagar Police Station for the offences punishable under Sections 307, 323, 395, 427, 452, 504 and 506 of IPC. The complaint was lodged by Ashwini Dadasaheb Khidkar. It was alleged that on 29.1.2021 the accused Parmeshwar Satpure and others came to her house. The accused pointed out gun at the head of the complainant and took away ornaments from her person. They caused damage to the articles in the house. The parents of the complainant

intervened. The accused poured diesel on the complainant. Her saree was burnt.

5] Crime No. 24 of 2021 was registered by Parmeshwar Satpure against Dadaseheb Khindkar and others, whereas, Crime No. 16 of 2021 was registered by Mahadeo Matkar against Parmeshwar Satpure and others. Crime No. 17 of 2021 was registered by Ankush Satpure against Dadasaheb Khindkar and others, whereas, Crime No. 27 of 2021 was registered by Ashwini Dadaseheb Khindkar against Parmeshwar Satpute and others.

5] The applicants in all these applications have submitted that the incident had occurred during the elections of Gram Panchayat. The applicants are residents of the village. They have settled their disputes. They want to maintain peace and harmony. Both the sides have filed affidavits before the Sessions Court, stating that the parties have resolved their differences and anticipatory bail may be granted to them.

7] Though both the parties have registered FIR against each other, The first informant in each matter have filed affidavits before the Sessions Court, stating that the complaints were lodged due to political rivalry and the dispute is now settled amongst themselves.

8] The learned Advocate for applicants in all the applications and complainant have submitted that the reliefs prayed in these applications may be allowed. The respective complainants have no objection for allowing these applications since the parties have resolved their differences.

9] The learned APP submitted that the investigation is in progress. Both the sides have lodged FIR against each other. She further pointed out that the complainant Parmeshwar Satpute and Ashwini Khindkar have filed affidavits before the Sessions Court which were included in the file of

investigation. The report is forwarded to the court for deleting offence under Sections 143, 147, 148, 149, 395 of IPC. The learned APP pointed out that the report submitted to the office of the public prosecutor by the concerned police station, Pimpalner. Similarly, on conducting investigation, Sections 143, 147, 148, 149, 307 and 395, 341 have been deleted and affidavits submitted before the Sessions Court are included in the investigation papers. Such report is submitted to the office of learned APP.

10] Considering the fact that parties have resolved their differences and intend to maintain peace and harmony, the applications need to be allowed. Hence, the following order.

-: O R D E R :-

[i] Anticipatory Bail Application No. 339 of 2021 is allowed. In the event of arrest of the applicant in connection with Crime No. No. 24 of 2021, registered with Police Station Shivaji Nagar, Dist. Beed, the applicants be enlarged on bail on furnishing PR Bond in the sum of Rs. 20,000/- each, with one or two sureties in the like amount.

[ii] Anticipatory Bail Application No. 477 of 2021 is allowed. In the event of arrest of the applicant in connection with Crime No. No. 17 of 2021, registered with Police Station Pimpalner, Dist. Beed, the applicants be enlarged on bail on furnishing PR Bond in the sum of Rs. 20,000/- each, with one or two sureties in the like amount.

[iii] Anticipatory Bail Application No. 326 of 2021 is allowed. In the event of arrest of the applicant in connection with Crime No.

No. 16 of 2021, registered with Police Station Pimpalner, Dist. Beed, the applicants be enlarged on bail on furnishing PR Bond in the sum of Rs. 20,000/- each, with one or two sureties in the like amount.

[iv] Anticipatory Bail Application No. 328 of 2021 is allowed. In the event of arrest of the applicant in connection with Crime No. No. 27 of 2021, registered with Police Station Shivaji Nagar, Dist. Beed, the applicants be enlarged on bail on furnishing PR Bond in the sum of Rs. 20,000/- each, with one or two sureties in the like amount.

[PRAKASH D. NAIK]
JUDGE

grt/-.