

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

24 ANTICIPATORY BAIL APPLICATION NO.778 OF 2021

**GORAKH PRABHU PAWAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

Mr. C. C. Deshpande, Advocate for the applicants
Mr. A. V. Deshmukh, APP for the respondent/State

**CORAM : SANDEEP K. SHINDE, J.
DATE : 23-07-2021**

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. Heard learned counsel for the applicants and learned APP for the respondent/State.

2. The complainant Sangitabai was allegedly administered a poisonous substance by the applicants in her house on 15-04-2021. Whereafter she was admitted in the hospital at Chalisgaon in critical condition. Discharge card (at page No.49) shows she had consumed poison at her house. Since she was unconscious her statement was recorded by Constable Ingale on 20-04-2021. She narrated the incident and disclosed the names of persons who allegedly administered the poison to her. I have perused the statement recorded on 20-04-2021. Although statement made out cognizable offence, for the reasons known, police did not register the offence. Complainant therefore, approached the Incharge of the

Police Station on 26-05-2021 and enquired about the progress in the investigation. She again approached the Sub-Divisional officer on 10-06-2021. When the complainant heard that the offence was not registered, she again approached the concerned police station. Whereafter on 22-06-2021 the offence under Sections 307, 452, 323, 504, 143 and 149 of the Indian Penal Code was registered. It may be stated that after gaining consciousness the complainant had disclosed the incident and complicity of the applicants in the crime. I have no reason to disbelieve the complainant's statement. The offence is serious in nature. It appears since the applicants were allegedly maligning reputation of the complainant's daughter in the society and when complainant held protest against them, the applicants tried to eliminate the complainant by administering the poison to her.

3. In consideration of the aforesaid facts of the case, the application is rejected.

[SANDEEP K. SHINDE, J.]