

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1920 OF 2021**

Sunil Dinkar Jadhav

.. Applicant

Versus

The State of Maharashtra

.. Respondent

...

Mr. Shashikant P. Chaudhari i/b Snehal S. Chaudhari for the applicant.

Mr.S.S. Pednekar, APP for the State.

CORAM: BHARATI DANGRE, J.

DATED : 31st AUGUST, 2021

P.C:-

1 The applicant seek protection from his arrest in C.R.No. 120 of 2021 registered with Koregaon police station, thereby invoking offence punishable under Sections 326, 323, 506, 506 r/w Section 34 of the IPC.

 The C.R. came to be registered on a complaint filed by one Chandrakant Jadhav, who share a consanguineous same relationship with the applicant, by reporting the incident dated 1st May 2021 on 22nd May 2021. The complainant alleged that there is an existing family feud on account of the agricultural land.

On the date of incident, it is alleged that he was engaged in an agricultural activity, the applicant arrived at the spot and hurled abuses at him, and threatened him to partition the land. The row ensued between the two, during which the applicant is alleged to have assaulted the complainant by means of an iron rod. It is alleged that his son Rohan who is aged 15 years was armed with a scythe. The complainant sustained fracture on the left forearm.

2 The complainant has offered an explanation for the delay in approaching the police station and he state that since he was hospitalized after obtaining the necessary certificate, he has reported of the said incident.

3 The MLC issued by the Rural Hospital, Koregaon is placed on record but depict the following injuries :-

(1) *Contusion and swelling on right fland middle part and forearm.*

(2) *CLW over left forearm, reddish/blood clots .*

4 The injuries are referred to as 'grievous injuries' since X-ray reflect fracture in the left forearm.

5 Taking into consideration the accusation raised by the applicant and in view of the fact that their previous enmity is alleged, since custodial interrogation of the applicant is not

warranted, he is entitled for protection. Hence, the following order :-

ORDER

- (a) In the event of his arrest, the Applicant – Sunil Dinkar Jadhav in connection of C.R.No.120/2021 registered with Koregaon police station shall be released on bail on furnishing P.R. bond to the extent of Rs.20,000/- with one or two sureties of the like amount.
- (b) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.
- (c) The Applicant shall make himself available as and when required by the Investigating Officer.

The Application is allowed in the aforestated terms.

SMT. BHARATI DANGRE, J