

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BHALCHANDRA
GOPAL
DUSANE

BAIL APPLICATION NO.1329 OF 2021

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GOPAL DUSANE
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Pundlik Shankar Sabale Applicant

Vs.

The State of Maharashtra Respondent

Mr. Milan Desai i/by Mamta R. Tripathi for Applicant.
Ms. A.A. Takalkar, APP for State.
PSI, J.P. Sawant, Versova Police Station.

Coram : NITIN W. SAMBRE, J.
Date : 7TH OCTOBER, 2021

P.C.:

1. On 28th October, 2020, the applicant came to be arrested in Crime No. 392 of 2020, registered with Versova Police Station, Mumbai for the offence punishable under Section 307 of the Indian Penal Code read with Section 37(1), 135 of Maharashtra Police Act and is charge-sheeted.

2. The submissions of learned counsel appearing for the applicant are, the alleged offence took place out of misunderstanding

between the complainant and applicant, who were old friends. He would further claim that already against the brother of the complainant, an offence being Crime No. 293 of 2020 is registered with Khed Police Station of Pune Gramin, for the offence punishable under Sections 143, 147, 148, 149, 324, 323, 504, 506 of Indian Penal Code and under Section 135 of Maharashtra Police Act.

3. Based on the above, it is claimed that in absence of any eye-witnesses, alleged offence of attempt to murder came to be lodged. The applicant is sought to be falsely implicated in the crime.

4. Learned APP would oppose the claim and submits that there is sufficient material on record to infer that the applicant is prima facie involved in the crime, in question.

5. It is required to be noted from the record that prior to the present applicant, at the behest of very same complainant, offence being Crime No. 293 of 2020 was registered in the very same Police

Station. It is further claimed in the F.I.R. that the applicant thereafter was threatening the complainant for withdrawing of said prosecution and same has resulted into registration of N.C. against the applicant.

6. The complainant in categorical terms has stated that the applicant with the help of sharp weapon assaulted him, which has resulted into grievous injury, which weapon has already recovered from him.

7. In the aforesaid background, there is strong prima facie material about the applicant's involvement in a serious offence, which is punishable with life imprisonment. In that view of the matter, no case for bail is made out. The application stands rejected.

(NITIN W. SAMBRE, J.)