

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

ANTICIPATORY BAIL APPLICATION NO. 734 OF 2021

Vilas Yashwant Ghatage Applicant

Versus

The State of Maharashtra Respondent

Mr. Satyavrat Joshi i/b. Mr. Jaydeep D. Mane for Applicant.
Smt. A. A. Takalkar, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 16th MARCH, 2021

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.170 of 2021 registered with Sangola Police Station, Solapur Rural, on 10/02/2021, under sections 326, 323, 504 and 506 r/w. 34 of the Indian Penal Code (for short 'IPC').
2. Heard Shri. Satyavrat Joshi, learned counsel for the applicant and Smt. Takalkar, learned APP for the State.
3. The First Information Report (for short 'F.I.R.') is lodged by one Shivaji Salunkhe. He has an adjacent agricultural

land to that of the present applicant. On 10/02/2021, at about 10:00a.m. there was a quarrel between the applicant and his son on one side and the informant on the other. During that quarrel the applicant beat him on his back. The applicant and his son then assaulted the informant on his back, waist and legs with wooden handle of a spade. During that time the informant's wife came there and tried to intervene. At that time, the applicant gave a blow with the same wooden handle of a spade on her wrist. The informant started shouting. The neighbours came there and separated both the parties. Then this F.I.R. was lodged.

4. Learned counsel for the applicant submitted that the allegations in the F.I.R. are not true. The applicant had tried to lodge his own F.I.R., but it was merely taken as N.C. case. He, therefore, submitted that the incident is mentioned in an exaggerated way.

5. Learned APP opposed this application. She produced medical certificates in respect of injuries suffered by the informant's family.

6. I have considered these submissions and I have

perused the injury certificates. The informant Shivaji had suffered two injuries in the nature of trauma to back and contusion over occipital region. Those injuries are simple in nature. However, his wife Vishranti had suffered two injuries; one was swelling on left knee and the other one was on the left hand showing fracture of proximall phalanx index finger. Since, it was a fracture, it was described as grievous injury. Therefore, informant's version in the F.I.R. is supported by the medical certificates. The nature of injury is described as grievous injury. The injured was a lady and the applicant had no business to cause these injuries to her. Considering the seriousness of the matter, protection of anticipatory bail cannot be granted to the applicant.

7. Application is rejected.

(SARANG V. KOTWAL, J.)