

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.2183 of 2021

Abhishek Ashok Gadhave & ors .. Applicants
Versus
The State of Maharashtra .. Respondent

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Mr. Harshad Bhadbhade i/b Dipak S. Shinde for the applicant.
Mr. Ajay Patil, APP for the State.
Mr. Prashant Raul for the complainant.

CORAM: BHARATI DANGRE, J.
DATED : 13th JULY 2021

P.C:-

1 Learned counsel, at the outset, had invited my attention to the order passed in case of the co-accused Shahaji Lalaso Gadhave Deshmukh (ABA No. 1572/21) where he was admitted to bail in the event of his arrest on 9th July 2021. The said order record that the discord was between the members of the same clan, the Deshmukh family and they had already settled the dispute.

2 An affidavit to that effect was filed. It was observed that they are likely to go for quashing of the FIR and accepting

the said statement, the applicant was directed to be enlarged on bail in the event of his arrest. There is no reason why the same analogy cannot be made applicable to the other applicants before this Court being Abhishek, Ashok and Rajendra – Accused nos.2, 3 and 4. However, the application propose to be filed seeking quashment of the FIR cannot wait indefinitely and the proceedings for quashing of the FIR should be instituted within a period of one week from today. Subject to the said stipulation, the following order is passed :-

ORDER

- (a) Application is allowed.
- (b) The Applicant no.1 Abhishek Gadhave, applicant no.2 Ashok Gadhave and applicant no.3 Rajendra Lalaso Gadhavi Deshmukh, in connection with C.R.No. 309/21 registered with Baramati Gramin Police Station, shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.
- (c) The applicants shall co-operate with the Investigating Agency by attending the police station on every Monday between 10 am to 2.00 p.m.
- (d) The proceedings for quashing of the FIR by consent as in accordance with the statement contained in the affidavit filed on 6th July 2021 should be filed within a period of 7 days from the date of passing of the order.

- (e) The applicants 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.

SMT. BHARATI DANGRE, J