

Gaurappa Suresh Pujari & Anr. .. Applicants

Vs.

The State of Maharashtra .. Respondent

Ms. Rutuja Ambekar, A.P.P. for the State.

DATED : 03RD AUGUST, 2021.

1. The Applicants are already admitted to interim protection by order dated 02/07/2021. On perusal of the accusations levelled against the Applicants and the medical certificate, which reflects two abrasions and are classified as simple injuries, the Applicants came to be admitted to interim protection. The said order also makes a reference to the statement of one Vittal

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Waghmode to the effect that the Complainant was lying in a critical condition.

2. Today, learned A.P.P. has produced the statement of Mr. Vittal Waghmode recorded on 19/04/2021. The said witness has stated that at around 5.45 a.m. on 12/04/2021, when he was proceeding to the Mahasiddhi Temple for offering prayers, he noticed the Complainant Pirappa Fulari, who was his friend, lying on the road. His mouth was gagged by a red coloured shawl and hands and legs were tied. When he went near him, he was found in an unconscious condition. Vittal Waghmode removed the shawl from his mouth and he regained consciousness and asked for water.

3. Perusal of the said statement does not reveal that the Complainant has sustained any injury severe than those, which have been mentioned in the Medico Legal Certificate, being two abrasions. The statements of two witnesses do not in any way aggravate the incident or the role attributed to the present Applicants. Learned A.P.P. states that the Applicants have co-operated with the investigation in terms of the order passed by this court.

4. In view of the said statement, order dated 02/07/2021 deserves to be made absolute subject to the stipulation that the Applicants shall attend the Investigating Officer as and when

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called for by him and shall co-operate with the further investigation.

5. The Application is disposed of.

[SMT. BHARATI DANGRE, J.]