

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

**ANTICIPATORY BAIL APPLICATION NO. 1513 OF 2021**

1. Karan Jadeja @ Paritosh  
@ Karan Kishore Rajput
2. Rajesh Bhimrao Chavan ... Applicants

Versus

The State of Maharashtra ... Respondent

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Mr. Rohan Hogle i/b. Mr. Anshul A. Sontakke, Advocate for the Applicants.

Mr. Saurabh Butala, Advocate for Original Complainant.

Ms. Anamika Malhotra, APP for the Respondent – State.

Mr. P. K. Yerunkar ( P.S.I.) Vartak Nagar Police Station, Present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 2<sup>nd</sup> JULY, 2021.

**PER COURT:**

1. Leave to amend to add the complainant as respondent

No.2. Amendment may be carried out within four working days.

2. Applicants are apprehending arrest in connection with C.R.No.I-95 of 2021, registered with Vartak Nagar Police Station, Thane City, for the offences punishable under Sections 326 and 323 read with 34 of Indian Penal Code (“IPC”, for short). First Information Report (“FIR”, for short) was lodged on 1st April, 2021.

3. It is alleged that the complainant was assaulted by the accused armed with iron rod. Applicant no.1 was armed with iron rod and applicant no.2 was assaulted with bamboo stick.

4. Cross FIR has been registered with the same police station vide C.R.No.94 of 2021, for offences punishable under Sections 326 and 323 read with 34 of IPC on 31st March, 2021. The said FIR was lodged by Applicant No.2.

5. Learned counsel for the applicant submits that the role attributed to applicant no.1 is assault by iron rod, and, applicant no.2 had assaulted with bamboo stick. Parties have arrived at amicable settlement. Representations were forwarded to the investigating officer indicating that the dispute has been resolved by both the sides. Learned advocate Mr. Saurabh Butala appearing for the complainant submitted that there is amicable settlement between both the sides. Co-accused Sahil Chandrakant Hegde @ Gautam Chandrashekhar Yengade and Chandrashekhar D. Hegde @ Chandrashekkhar D. Yengade have been granted anticipatory bail by this Court vide order dated 14<sup>th</sup> June, 2021.

6. Learned APP submits that the offence is under section 326 of IPC. The victim has suffered head injury. On the ground of settlement, anticipatory bail should not be granted to them. Four

cases are registered against co-accused in the past.

7. Learned counsel for the applicant, on instructions, submitted that co-accused Chandrashekhar D. Hegde @ Chandrashekkhar D. Yengade has been acquitted in all cases registered against him.

8. Considering the role attributed to the applicants and the fact that parties are intending to maintain harmony by settling the differences, this application can be allowed.

### **ORDER**

(i) Anticipatory Bail Application No. 1513 of 2021 is allowed;

(ii) In the event of arrest of applicants in connection with C.R.No. I-95 of 2021, registered with Vartak Nagar Police Station, Thane City, the applicant be released on bail on executing PR bond in the sum of Rs.25,000/-, each with one or more sureties in the like amount;

(iii) Applicants shall report the investigating officer as and when called.

(iv) Anticipatory Bail Application stands disposed of accordingly.

**(PRAKASH D. NAIK, J.)**