

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1705 OF 2021

Jitendra Maruti Kamble and anr .. Applicants
Versus
The State of Maharashtra .. Respondent

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Mr. Hrishikesh Mundargi i/b Jayant J. Bardeskar for the applicants.

Mr. Y.M. Nakhawa, APP for the State.

Ms. Maya Mahanwar for the complainant.

CORAM: BHARATI DANGRE, J.

DATED : 26th JULY 2021

P.C:-

1 On the complaint filed in Miraj Police Station on 2nd July 2021, the applicant is arraigned as an accused by invoking Sections 323, 326 read with Section 34, 427, 506 of the IPC. The incident that has been reported pertains to an assault upon the complainant resulting into a grievous injury and the backdrop of the incident is the alleged affair between the wife of the applicant no.1 with the complainant. The affair is alleged to have continued for last 10 years and the incident took place in the house of the applicant where it is alleged that the applicant and those named in the complaint have assaulted the complainant requiring him an hospitalization.

Tilak

2 Learned counsel Mr.Mundargi for the applicant and Ms.Maya Mahanwar appearing for the complainant make a categorical statement that taking into account the nature of dispute which resulted into registration of FIR, the parties are desirous of amicably settling the dispute and are likely to file a petition for quashing of the FIR within a period of two weeks from today. The complainant accord a 'No Objection' to the applicant being released on bail in the event of their arrest in light of the compromise being entered into between the complainant on one hand and the applicants on the other hand. Since the issue appear to have been settled between the parties subject to filing of the quashing petition and the orders being passed in the said petition, the applicants are entitled to be released on bail in anticipation of their arrest.

ORDER

- (a) In the event of his arrest, the Applicant no.1 – Jitendra Maruti Kamble and applicant no.2 Yogesh Vijay Kamble, shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- each with one or two sureties of the like amount.
- (b) 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 them from disclosing the facts to Court or any Police Officer and should not tamper with evidence.

(c) The Applicants shall make themselves available as and when required by the Investigating Officer.

4. The Application is allowed in the aforestated terms.

SMT. BHARATI DANGRE, J