

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

CRIMINAL BAIL APPLICATION NO. 1150 OF 2020

Jacky @ Jay Purshottam Aalamchandani ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. K.S. Labana, for the Applicant.

Ms. Veera Shinde, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 22nd MARCH, 2021

PC :

. This is an application for bail in C.R.No.I-162-2020 registered with Ulhasnagar Police Station, Dist. Thane, for offence punishable under Sections 324, 326, 436, 452, 504, 506, 188, 269, 271 read with 34 of Indian Penal Code (in short 'I.P.C.') under Section 51 of Disaster Management Act read with Section 144 of Criminal Procedure Code (in short 'Cr.P.C.).

2. It is alleged that on 2nd May 2020 at 5.00 p.m. Sachin @ Gamlya Chandani @ Jacky, Lalli entered into house of complainant and assaulted complainant's brother and caused damage to articles. C.R.No.I 162/2020 was registered on the same day. At about 23.00

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p.m. the present applicant, Lalli, Pravin Jadhav, Bansi Pawar again came to his house. One of them threw chilli powder. Applicant and Pravin Jadhav assaulted father of complainant by weapon on his head, hand and leg. Complainant intervened. Lalli and Bharat Pawar assaulted complainant by weapon on hand, back. Rohit was assaulted on hand, shoulder and fingers. Father of complainant was taken to hospital. The complainant was informed that someone has set his house in fire.

3. It is submitted that the applicant is not involved in the offence. The applicant is falsely implicated. The complainant had lodged similar offences against several other persons. The weapon of offence is recovered. Learned Counsel for the applicant drew my attention to the statements of Harihar Uttam Gharat, Sarojini Narayan Gharte, Vandana Harihar Gharte, Vinod Ghanshyam Ramtare and Kiran Ghanshyam Ramtare.

4. The applicant had allegedly assaulted Narayan Gharte who had sustained about 14 simple injuries. The role of assaulting Narayan Gharte was also attributed to Sumeet Lalli by the injured Narayan Gharte. Sumeet @ Lalli has been granted bail by the Sessions Court vide Order dated 3rd December 2020. The applicant is

therefore claiming parity.

5. Learned APP submitted that all the injured had sustained simple injuries. There are multiple injuries. The applicant had two other criminal antecedents.

6. Learned Counsel for the applicant submitted that there were six cases against Sumeet @ Lalli which has been considered by the learned Sessions Judge while granting bail.

7. Considering these circumstances and since the chargesheet is filed, bail can be granted.

8. Hence, the following order.

ORDER

- (i) Bail Application No.1150 of 2020 is allowed;
- (ii) The applicant is directed to be released on bail in C.R.No.I-162-2020 registered with Ulhasnagar Police Station, Dist. Thane, on executing P. R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant shall report concerned police station once in three months on first Saturday of

month between 11.00 a.m. to 01.00 p.m. till further order.

- (iv) The applicant shall not tamper with the evidence;
- (v) The applicant shall not approach the injured or any other witnesses;
- (vi) Bail Application No.1150 of 2020 stands disposed of accordingly.

(PRAKASH D. NAIK, J.)