

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.2664 OF 2021

Vikas Shantaram Shete ...Applicant

Versus

The State of Maharashtra ...Respondent

.....
Mr. Sachin H. Deokar for the Applicant.
Mrs. P.P.Shinde, APP for the Respondent -State.
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CORAM : V.G.BISHT, J.
RESERVED ON : 15TH NOVEMBER, 2021
PRONOUNCED ON : 16TH NOVEMBER, , 2021

PC:-

1. The present application has been moved by the applicant under Section 439 of the Code of Criminal Procedure in Crime No. 718 of 2019 registered with Wakad Police Station, Pune for offence punishable under Sections 307, 323, 504 and 506 of the Indian Penal Code (the IPC).

2. It is the case of the prosecution that the applicant is husband of informant. The prosecution alleges that the

applicant used to take suspicion on the character of informant -wife. At the relevant time, the informant was employed with Spandan Hospital, Dange Chowk, Wakad, Pune as a receptionist. On 25th June, 2019, the applicant expressed his desire to meet informant and accordingly the informant went to meet applicant at Dange Chowk, Pune. Again, the applicant started taking suspicion on her character and started abusing her.

3. It is further case of prosecution that on 26th June, 2019, while informant was proceeding towards Dange Chowk, Wakad, Pune, applicant-accused came from behind and gave multiple stabs by means of knife on her person and attempted to commit her murder.

4. The learned Counsel for the applicant submits that the applicant is husband of informant and the dispute between them is purely a family dispute. He also invited my attention to the injury certificate filed on record and submits that the

injuries were not on vital part of the body. The whole incident took place at spur of moment because of misunderstanding between them. Investigation is already over by filing charge-sheet. No purpose would be served by keeping the applicant behind the bar. Hence, the applicant be released on bail, urged learned Counsel.

5. Learned APP, on the other hand, submits that the applicant-accused attempted to commit the murder of informant. He then invited my attention to the injury certificate dated 4th July, 2019 issued by Spandan Multi Specialty Hospital and submits that there being no merits in the application, the same is liable to be rejected.

6. Perused the investigation papers. Admittedly, there are statements of eye witnesses, who witnessed the incident. I have also gone through the injury certificate. It appears that there were injuries on abdomen, arm and breast. However, all the injuries appear to be of minor nature. There is no life

threatening injuries. Apart from above, the investigation is over and the charge-sheet has already been filed.

7. Thus, having regard to the facts and circumstances of the case, in my considered opinion, the applicant has made out a case for bail. Hence, the following order :

ORDER

(i) Applicant- Vikas Shantaram Shete shall be released on bail in C.R. No. 718 of 2019 registered with Wakad Police Station, Pune on his executing P.R. Bond in the sum of Rs. 20,000/- with one or two sureties in like amount.

(ii) The applicant shall not tamper with prosecution evidence.

(iii) Parties to act on copy of this order duly authenticated by the Sheristedar of this Court.

(iv) The application is allowed in the aforesaid terms.

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(V.G.BISHT, J.)