

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPLN) NO. 11 OF 2021

(Ankita Sheshpal Chavan vs. State of Maharashtra and others)

CRIMINAL APPLICATION (APPLN) NO. 12 OF 2021

(Ankita Sheshpal Chavan vs. State of Maharashtra and others)

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Ram Karode, Advocate for applicant in both APPLN.
Mr. A. R. Chutke, APP for respondent No.1.
Mr. Anzar B.Mirza, Advocate for respondent No.2.

CORAM : MANISH PITALE J.

DATE : 25/08/2021

These two applications are filed by the same applicant, who is the original informant pertaining to FIR dated 27/05/2020 registered against the non-applicants in these applications along with other accused persons for offence under Section 306 read with 34 of the Indian Penal Code (IPC).

2. The informant had approached the police machinery with a grievance that the accused persons had driven her father to suicide. This Court granted interim bail to the non-applicants by imposing specific conditions, including a condition that the

non-applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case. The condition also stated that there shall be no tampering with the witnesses.

3. It is the case of the applicant(original informant) that despite the said specific condition imposed on the non-applicants while granting them interim bail, which was confirmed lateron by this Court, the non-applicants have been repeatedly threatening the applicant. In this context there are three Non-Cognizable (N.C.) reports registered against the non-applicants, thereby demonstrating that there has been violation of the condition imposed by this Court.

4. The respondent State in its reply has given details of the N.C. reports registered against the non-applicants.

5. The learned counsel appearing for the non-applicants submitted that the applicant is deliberately lodging false reports against them, only with a view to get the bail cancelled from this Court. It is submitted that even the co-accused persons have approached the police raising grievance against the

applicant and her relatives, but the police has not taken cognisance of such complaint.

6. This Court is of the opinion that the N. C. reports registered against the non-applicants in the present case do indicate that the applicant has been raising grievance with regard to the behavior of the non-applicants in allegedly threatening her, despite the specific condition imposed by this Court. On the face of it, it cannot be said that such N. C. reports have been falsely lodged by the applicant, although there is some substance in the contention raised on behalf of the non-applicants that due to previous enmity, the applicant is only interested in getting the bail cancelled.

7. This Court is of the opinion that the present applicant can be disposed of by imposing an additional condition on the non-applicants, so that the grievance sought to be raised on behalf of the applicant is addressed.

8. Accordingly, the present applications are disposed of with a direction to the non-applicants to not enter jurisdiction of Police Station, Pinjar, District Akola, during the pendency of the Trial.

9. This should take care of the grievance raised on behalf of the applicant.

10. In view of the above, the applications stand disposed of.

JUDGE