

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

CRIMINAL APPLICATION (ABA) NO. 133 OF 2021

(Bhupendra Mohan Gilorkar **Vs.** State of Maharashtra through P.S.O., Tumsar, Tah.
Tumsar, Dist. Bhandara)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Ms. Sejal Lakhani, Advocate for the applicant
Mr. S. A. Ashirgade, APP for the State/non-applicant

CORAM : ROHIT B. DEO, J.

DATED : 12/03/2021.

Heard.

2. The applicant is apprehending arrest in Crime
11/2021 registered with Police Station, Tumsar, Tah.
Tumsar, District Bhandara for the offences punishable under
Sections 120B, 307, 143, 147, 148 and 149 of the Indian
Penal Code read with Sections 3 and 25 of the Arms Act.

3. Ms. Sejal Lakhani would submit that the alleged
incident stems from gang rivalry and the applicant is falsely
implicated.

4. The prosecution case is that several persons had
a valid reason to bear a grudge against Santosh Dahat. A
conspiracy was hatched to eliminate Santosh Dahat.
However, the assailants fired twice at Santosh Dahat only

to miss. An associate of Santosh Dahat, Saurabh Mane fired in retaliation and he too missed. Ultimately, one of the assailants did manage to inflict stab wound on Santosh Dahat.

5. Perusal of the material in the case diary reveals that while the informant who is an associate of Santosh Dahat, attributes firing to three accused including the applicant herein, no such role is attributed to the applicant in the statements of witnesses who claim to be eye witnesses. One of the witnesses as a fact said that the applicant and Kalu Mate were only present at the scene of occurrence. Notably, Kalu Mate is protected by this Court.

6. The interim protection granted vide order dated 5-3-2021 is made absolute on the same terms and conditions with the only modification that till filing of the charge-sheet, the applicant shall attend the concerned police station as and when directed by the Investigating Officer.

7. The application is disposed of.

JUDGE