

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

Criminal Application (ABA) No. 185 of 2021

(Shaikh Farooq Shaikh Vazir and anr. ..vs.. State of Maharashtra through P.S.O., P.S. Nagpuri Gate,
Amravati, Dist. Amravati)

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

Court's or Judge's orders

Mr. P. V. Navlani, Advocate for the applicant
Mr. N. S. Rao, APP for the State/non-applicant

CORAM : ROHIT B. DEO, J.

DATED : 25-03-2021

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. The applicants are apprehending arrest in Crime 77/2021 registered with Police Station, Nagpuri Gate, Amravati, District Amravati for the offences punishable under Sections 146, 147, 148, 149, 324 and 326 read with Section 34 of the Indian Penal Code.

3. Crime is registered on the basis of report dated 13-2-2021 lodged by brother of the injured.

4. The injured is Shahid Parvez. I have perused the material in the case diary including the statement of the injured recorded on 17-2-2021.

5. According to the injured, the knife injury is inflicted by co-accused Bablu Jarkhanda. The assault with stick is by co-accused Danish, resident of Patipura. The name of applicant 2 is Abdul Danish and he is referred to in the report as son of Farooq Danish Transportwala.

6. The applicants, according to the statement of the injured, are not responsible for the blows which caused the two injuries. It is indeed stated by the injured that the applicant 2 Danish Transportwala attempted to strike the knife blow which he evaded. However, even according to the injured, no injury is caused. Insofar as applicant 1 is concerned, he is not attributed any role in the actual assault and injured states that he instigated the others.

7. Custodial interrogation may not be necessary. In this view of the matter, the applicants have made out a case for exercise of discretion.

8. In the event of arrest of the applicants in Crime 77/2021 registered with Police Station, Nagpuri Gate, Amravati, District Amravati for the offences punishable

under Sections 146, 147, 148, 149, 324 and 326 read with Section 34 of the Indian Penal Code, the applicants be released on furnishing PR bond of ₹ 25,000/- (Rupees Twenty Five Thousand) each with solvent surety of like amount.

9. The applicants shall attend concerned police station on 31st March, 2021 and 1st April 2021 from 11.00 a.m. to 3.00 p.m. and shall cooperate with the Investigating Officer.

10. The applicants shall not influence the witnesses directly or indirectly.

11. The applicants shall not leave the country without the permission of the trial Court.

12. The application is disposed of.

JUDGE

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