

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

CRIMINAL APPLICATION [ABA] NO. 431 OF 2021.

Suresj Ramji Kothekar.

-Versus-

State of Maharashtra, through P.O. Kalamna, District Nagpur.

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

Court's or Judge's orders

Shri S.U. Kashyap, Advocate for the Applicant.
Shri H.D. Dubey, A.P.P. for the Non-applicant.

CORAM : VINAY JOSHI, J.
DATE : OCTOBER 07, 2021

Heard.

2. In anticipation of arrest in Crime No.416/2021 registered with the non-applicant – Kalamna Police Station, Nagpur for the offence punishable under Sections 325, 326, 504 read with Section 34 of the Indian Penal Code, the applicant/accused is seeking pre-arrest protection.

3. The State has resisted the bail by filing reply-affidavit.

4. On the basis of a report lodged by one Vilas dated 17.06.2021, the aforesaid crime

came to be registered. It is alleged that initially applicant's son Surendra [co-accused] has beaten informant's son namely – Ganesh, by means of some pointed substance. The informant has tried to pacify, however, the applicant beat him by fist blows and kicks. Moreover, the applicant also pushed informant's daughter Surekha, who sustained head injury.

5. The allegations of beating by pointed substance are against the co-accused Surendra. Perusal of the injury certificate of Surekha reveals that there are mere lacerated wounds. All other co-accused are already released on bail. The role ascribed to the applicant is that of beating by fist blows and kicks. Having regard to the nature of accusation, applicant's liberty can be protected. Hence, the following order.

- (i) Criminal Application is allowed and disposed of.
- (ii) The interim order dated 22.07.2021, passed by this Court is hereby made absolute on the same terms and conditions.
- (iii) The applicant/accused shall continue

Order

0710aba431.21.

3

to attend the Police Station till the filing of the charge sheet or for a period of 60 days, which ever is earlier.

JUDGE

Rgd.