

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

CRIMINAL APPLICATION (ABA) NO. 424 OF 2021

Sandip Sheshrao Gangavate
..vs..
State of Maharashtra, thr.P.S.O.

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

Court's or Judge's orders

Shri R.D. Karode, Advocate for Applicant.
Shri A.M. Kadukar, A.P.P. for non-applicant/State.

CORAM : VINAY JOSHI, J.
DATED : 28/07/2021

Hearing was conducted through Video Conferencing.

2. In anticipation of arrest in Crime No.186 of 2021 registered with Sakharkheda Police Station, District Buldhana for the offence punishable under Sections 143, 147, 148, 149, 307, 323 and 504 of the Indian Penal Code and Section 135 of the Maharashtra Police Act 1951, the applicant is prayed for pre-arrest protection.

3. The non-applicant/State resisted bail by filing detailed reply.

4. At the instance of land dispute, there appears to be quarrel in between the party, who are in relations. The informant Purushottam Dattu Shinde lodged report stating that on the date of occurrence,

at relevant time, the applicant party restrained the informant's father from using a path way. A quarrel erupted in which the applicant Sandip Gangavate allegedly assaulted the informant at his head by means of Axe. Skipping allegations against the co-accused, further he stated that the applicant also assaulted the informant's father Dattu Shinde and wife Sangita by means of Axe at their head. Case diary bears the statement of victims. The statements of both the victims equally states about the assault by Axe. The injury certificate is produced on record to show that injured Dattu Shinde sustained head injury of grave nature.

5. The offence punishable under Section 307 of the Indian Penal Code, is serious which may attract punishment of life imprisonment. In such type of cases, the opportunity to the investigating agency to have fair investigation, is very much necessary.

6. In the circumstance, it is not a case to grant pre-arrest bail, hence, the criminal application stands rejected.

JUDGE

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