

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

**Criminal Application (BA) No. 824 of 2021**

[Arvind s/o Kunjibhai Rajpopat ..vs.. State of Maharashtra through P.S.O., P.S. Kalamana, Nagpur]

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

Court's or Judge's orders

Mr. C. F. Bhagwani, Advocate for the applicant  
Mr. N. R. Rode, APP for the State/non-applicant

**CORAM : ROHIT B. DEO, J.**

**DATED : 06-09-2021**

The applicant is seeking bail in connection with Crime 904/2020 registered with Police Station, Kalamana, Nagpur for the offences punishable under Sections 307 and 506(B) read with Section 201 of the Indian Penal Code.

2. The prosecution case is that the applicant launched a brutal assault on his estranged wife, causing at least 7 stab injuries on stomach and chest.

3. The incident occurred on 5-12-2020 and the applicant could be arrested only on 13-12-2020 from Gujarat.

4. I have perused the material on record and having done so, I am of the considered view that no discretion can be exercised in favour of the applicant.

5. The material on record is overwhelming. The prosecution case is that after causing grievous injuries estranged wife with knife, the applicant absconded and before he was arrested from Gujarat on 13-12-2020, he threatened witnesses Kantabai and Ashutosh, the mother and brother of the injured, that he would kill the children of Amit Upadhye who is married to the sister of the injured.

6. Amit Upadhye has lodged the police report with Hudkeshwar Police Station complaining of the said threats.

7. The statement of the injured and the other witnesses reveal that the applicant not only launched a brutal assault, but when there was an attempt to intervene and rescue the injured, he threatened the witnesses that if they intervened, they would be killed.

8. I am satisfied that if the applicant is released on bail, the witnesses would not feel emotionally and physically secure and considering that the applicant is based in Gujarat, the possibility that he would not be available to face the trial cannot be entirely excluded.

9. Rather than releasing the applicant on bail, it would be appropriate to expedite the trial. While the application is rejected, the trial Court is requested to frame the charge within the next 30 days and to conclude the trial as expeditiously as possible and preferably, within nine months from the framing of charge.

10. The Registry shall bring this order to the notice of the Registry of trial Court within next 7 days.

**JUDGE**