

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

CRIMINAL APPLICATION (ABA) NO. 527/2021

(Pankaj @ Prakash S/o Jaykaran Vs. state of Maharashtra)

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri Ashwin Wasnik, Advocate for applicant.
Shri S. A. Ashirgade, APP for non-applicant/State.

CORAM : VINAY JOSHI, J.
DATE : 28.09. 2021.

Heard.

2. At the instance of report dated 22.06.2021 lodged by informant Mayur Dharne, crime is registered. He stated that on the day of incident, the applicant and co-accused quarreled with informant and his friend Sheikh Taushif. Thereafter, in the late mid night, the applicant and other came to the house of injured Sheikh Taushif and assaulted them. It is stated that the applicant dealt a stick blow whilst other co-accused also dealt blows by means of stick. It is also stated that one co-accused dealt knife blow.

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3. Learned counsel for the applicant would submit that there was oral altercation in which injured sustained minor injuries. The allegation of beating by so many people is in dispute. In view of that medico legal certificate of injured Sheikh Taushif was perused. It shows that there were three injuries which are mere lacerated, abrasion and one contusion. Medical Officer opined that all the injuries were simple in nature and caused by hard and blunt object. It is submitted that all other co-accused are already arrested and released on bail. No substantial reason is made out for custodial interrogation. Having regard to the nature of injuries, the applicant's liberty can be protected by directing him to join investigation. In view of that, following order:-

(I) Application stands allowed and disposed of.

(II) In the event of arrest of applicant – Pankaj @ Prakash S/o Jaykaran Rajput, he be

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released on anticipatory bail on his furnishing P.R. Bond of Rs. 25,000/- with one surety in the like amount.

(III) The applicant shall attend concerned Police Station on every Sunday and Wednesday in between 11.00 am. to 02.00 p.m. till filing of charge-sheet.

(IV) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.

JUDGE

Gohane.