

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

CRIMINAL APPLICATION (ABA) NO.804 OF 2020

(Swapnil s/o Ashok Kale Vs. The State of Maharashtra thr. PSO PS Karanja (City), Tq.
Karanja, Dist. Washim)

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

Court's or Judge's orders.

Mr. Tejas Deshpande, Advocate with Mr. Alpesh Deshmukh, Advocate for
Applicant.
Mr. N.R. Rode, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.

DATE: 5th JANUARY, 2021.

Heard.

2. The applicant is apprehending arrest in Crime
813/2020 registered with Police Station Karanja (City), Tq.
Karanja, Dist. Washim for offence punishable under section
307 read with section 34 of the Indian Penal Code.

3. The injured is Mr. Ashish Chouksey and the report
is lodged by his father Mr. Milankumar Chouksey.

4. The assault is the fall out of some monetary
dispute. According to the injured, he owed money to
co-accused Sonu @ Vaibhav Gaikwad. At 08:30 p.m. Sonu
@ Vaibhav Gaikwad, who was accompanied by the
applicant, called the injured and took him near Nashik Cafe.
It is alleged that Sonu @ Vaibhav Gaikwad assaulted the

injured with knife and the applicant Swapnil assaulted the injured on the head, hands and legs with iron rod.

5. The injury report is consistent with the version of the injured. Statements of several eye witnesses are recorded. Their versions are consistent. There is, therefore, more than ample material on record to connect the applicant with the crime. The weapon is to be recovered. Moreover, the applicant is already facing prosecution under section 307 of IPC vide Crime 612/2019.

6. No discretion can be exercised in favour of the applicant.

7. The application is dismissed.

JUDGE