

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**908 ANTICIPATORY BAIL APPLICATION NO.67 OF 2022**

CHANDRAMUNI DATTRAO BALKHANDE

VERSUS

THE STATE OF MAHARASHTRA

...

Mr. D.M. Shinde, Advocate for the applicant

Mr. N.T. Bhagat, APP for the respondent

...

**CORAM : SMT. VIBHA KANKANWADI, J.**

**DATE : 20<sup>th</sup> JANUARY, 2022**

**ORDER :**

1           Applicant is apprehending his arrest in connection with Crime No.448/2021 dated 18.12.2021 registered with Akhada Balapur Police Station, Dist. Hingoli, for the offence punishable under Section 353, 332, 323, 504, 506 read with Section 34 of the Indian Penal Code, 1860.

2           Heard learned Advocate Mr. D.M. Shinde for the applicant and learned APP Mr. N.T. Bhagat for the respondent. In order to cut short, it can be said that they have argued in support of their respective contentions.

3           First Information Report lodged by Police Constable Prashant Bhimrao Shinde attached to Kalamnuri Police Station would show that an

offence vide Crime No.320/2021 under Section 304-B read with Section 34 of the Indian Penal Code was registered with their Police Station and it was being investigated by the team consisting of Police Constable Prashant Shinde and superiors. They had gone to make inquiry with one Akash Ingole at Mhaisgavhan. When the statement of that witness was being recorded, one person went near them and told witness Akash that he shall not disclose anything to police. From Akash the police got the identity of that person disclosed and he was the present applicant. It was then stated that the present applicant is the relative of witness Akash as well as one Pravin Hiranman Ingole, who is accused in that crime, which they were making investigation. API Mr. Royalawar told applicant that he could not interfere in the investigation. At that time, the present applicant rushed towards the police and he was taken away from the place where the statement was being recorded. However, one person came holding plastic pipe. He started asking, as to why the police are taking present applicant by catching him and that person tried to assault API Mr. Royalawar. At that time, the present applicant took the pipe from the hands of his father and tried to assault informant Prashant Shinde on his head, but as Prashant Shinde resisted it by his hands, he received injury to his fingers and then the present applicant kicked Prashant Shinde. As a result of which, he fell down and received injuries. Thereafter, the father of the applicant also manhandled the other police

person and torn his uniform.

4           The manner in which the offence is stated to have been committed by the present applicant does not deserve the discretionary and extraordinary relief. He has not only obstructed the investigation but also without any reason assaulted the informant, who is a police personnel. Therefore, no case is made out to grant him relief, even at this stage. His application stands rejected at the threshold.

**( Smt. Vibha Kankanwadi, J. )**

agd