

ANTICIPATORY BAIL APPLICATION NO.1269 OF 2022
WITH
CRIMINAL APPLICATION NO. 3418 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO. 1269 OF 2022

The State Of Maharashtra ...Respondents

Mr. G.K. Naik Thigle, Advocate for the applicants.
Mr. N.T. Bhagat, APP for State.
Mr. S.B. Choudhari, Advocate for applicant in Criminal Application
No. 3418/2022.

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 10th OCTOBER, 2022

ORDER :

1. Heard the learned advocate for the applicants, the learned Additional Public Prosecutor and learned advocate for informant. Perused the investigation papers. It appears that the incident has taken place on 20.10.2020. The applicant No. 1 lodged FIR in respect of said incident on the same day and on that basis C.R. No. 400/2020 is registered for the offences punishable under section 307, 354, 147, 143, 148, 149, 504, 506 of IPC against the informant and four others. In the said

complaint allegation of assault on the applicants by informant and other accused persons with iron rod, wooden log are attributed. Pursuant to the said First Information Report, all the persons named in the FIR were arrested and were subsequently released on regular bail.

2. Admittedly, there is civil dispute going on between the parties.

3. The learned advocate for the informant opposed the application and submits that informant filed private complaint in respect of incident dated 20.10.2020 in the month of December, 2020. However, direction to register First Information Report was issued under section 156(3) and therefore, First Information Report in question is registered in the year 2022.

4. Taking into consideration the allegations made in the First Information Report and pendency of complaint lodged by applicant No. 1 against the informant and others and medical certificate of the informant which is recently issued, the custodial interrogation of the applicants does not seem necessary and false implication of the applicants cannot be ruled out at this stage.

5. The application is therefore allowed in terms of interim order passed on 26.09.2022.

6. In view of disposal of application, Criminal Application No. 3418 of 2022, is disposed of.

[NITIN B. SURYAWANSHI, J.]