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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1559 OF 2022

Preeti Bharat Zunjare

APPLICANT

VERSUS

The State of Maharashtra and Another

RESPONDENTS

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Mr. Sudarshan J. Salunke, Advocate for the applicant

Mrs.P. V. Diggikar, APP for respondent - State

Mr. P. B. Waghmare, Advocate for the informant

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 12th DECEMBER, 2022

ORDER :

1. The applicant apprehends arrest in Crime No. 381 of 2022 registered at the instance of the informant – Sunita Sajjannarayan Bhurewal, with Mukundwadi Police Station for offence punishable under section 307, 327, 323, 504 read with 34 of the Indian Penal Cod.

2. The informant has alleged in the FIR that, while she was going for morning walk, the applicant came towards her with a rope and a stick and aimed blow of the stick on her head, the informant caught the stick in her hand, the applicant then put the rope around her neck and tried to strangle her and she

was dragged at some distance. The applicant gave abuses in the name of her caste and gave her life threats. The applicant also allegedly have taken away golden chain of the informant.

3. Heard learned Advocate for the applicant, learned Additional Public Prosecutor and the learned advocate for the informant. Perused the investigation papers.

4. Admittedly, the applicant and the informant both are housewives, residing in the same colony. *Prima facie*, from the investigation papers it appears that a petty quarrel between residents of the same colony is given colour of criminal offence and to increase gravity of the offence, these allegations are levelled by the informant against the applicant. There appears variance in the version of the informant and the eyewitness, about the manner in which the incident has taken place.

5. The applicant was granted interim protection and was directed to co-operate in the investigation. The applicant has accordingly attended the police station and co-operated in the investigation. The stick allegedly used by the applicant is already recovered. Pre-trial custodial detention of the applicant, in the facts of the present case, is not warranted. The application is, therefore, allowed, by confirming the interim order.

6. Till filing of the charge sheet, the applicant shall attend concerned police station as and when called by the Investigation Officer. The applicant shall not tamper prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE

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