

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 3077 OF 2021

Mayur Machindra Khandekar	..Applicant
V/s.	
The State of Maharashtra	..Respondent

Ms. Manisha Deokar, for the Applicant.

Mr. S. R. Agarkar, APP for the Respondent/State.

PC 2010 Bhagwat Shahaji Bansode Mhaswad Police Station,
Satara.

**CORAM : C.V. BHADANG, J.
DATE : 16 MARCH 2022**

P.C.

. The Applicant, apprehending arrest, in connection with investigation of Crime No.192/2021 of Police Station Mhaswad, District Satara, under Section 323, 324, 504 and 506 r/w. 34 of IPC, is seeking anticipatory bail.

2. The aforesaid crime is registered on the basis of the complaint dated 21 October 2021 lodged by Sarjerao Namdeo Khilari, who happens to be the maternal uncle of the Applicant.

3. I have heard the learned counsel for the parties. Perused record.

4. The perusal of the FIR shows that there is a dispute between the informant and his sister Ujwala Khandekar (the mother of the Applicant) on the point of agricultural land. The incident in question happened on 19 October 2021, in which Applicant and his brother Vishal are alleged to have assaulted the informant as also his wife Surekha. In so far as the present Applicant is concerned, the allegation is that he had assaulted the informant by an iron rod on the left hand resulting into fracture of the finger of the left hand. The injury certificate indeed shows that there is fracture of the middle finger with a contusion which injury is shown to be grievous apart from one simple injury which is in the nature of contusion on the forehead.

5. The learned counsel for the Applicant submitted that there is a delay in lodging of the complaint as the complaint came to be lodged on 21 October 2021 although the incident happened on 19 October 2021, for which, there is no explanation. It is submitted that recovery of the iron rod is already made and further custody of the Applicant is not necessary.

6. Learned APP, on instructions from the Investigating Officer, accepts that the recovery of the iron rod is already made.

The learned counsel for the Applicant submitted that the Applicant who is aged about 23 years had an offer for a job. The learned counsel for the Applicant urged that in the event of his arrest, the Applicant would lose his employment prospects.

7. Learned APP submitted that the investigation is at a concluding stage and the chargesheet is likely to be filed shortly.

8. Considering the over all circumstances and having regard to the fact that recovery of the alleged weapon has already been made and the investigation is stated to be at an advance stage, I find that the Applicant can be directed to join the investigation. The submission made on behalf of the Applicant about the Applicant having an offer for a job, in my considered view is an additional circumstance to exercise discretion.

9. In the result, the following order is passed.

ORDER

(i) In the event of his arrest, in connection with investigation of Crime No.192/2021 of Police Station Mhaswad, District Satara, the Applicant Mayur Machindra Khandekar, be released on bail on executing a P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties, in the like amount.

(ii) The Applicant shall report to the Investigating Officer on 21/3/2022 and 22/3/2022 between 11.00 a.m. to 1.00 p.m. and as and when called and shall cooperate with the Investigating Agency.

(iii) The Applicant shall not associate himself with any similar dispute between the informant and his sister, in any manner and shall not tamper with the prosecution evidence / witnesses.

(iv) The Criminal Application is disposed of, in the aforesaid terms.

(C.V. BHADANG, J.)