

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

**ANTICIPATORY BAIL APPLICATION NO. 129 OF 2022**

|                          |                 |
|--------------------------|-----------------|
| Ramdas Narayan Javare    | .... Applicant  |
| Versus                   |                 |
| The State of Maharashtra | .... Respondent |

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Mr. Niranjan Mundargi a/w. Nirmala Kantilal Vyas a/w. Nirav Shroff for Applicant.

Mr. Vatsal Thakkar for Intervenor.

Ms. Rutuja Ambekar, APP for State/Respondent.

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**CORAM : SARANG V. KOTWAL, J.**  
**DATE : 18<sup>th</sup> JANUARY, 2022**  
**(through Video Conferencing)**

**P.C. :**

1. The Applicant is seeking anticipatory bail in connection with C.R.No.203 of 2021 registered at Talasari Police Station, Dist. Palghar, on 19/11/2021, under sections 307, 142, 143, 147, 148, 506(2) of the Indian Penal Code (for short 'IPC').

2. Heard Shri. Niranjan Mundargi, learned counsel for the applicant and Ms. Rutuja Ambekar, learned APP for the State.

3. The First Information Report (for short 'F.I.R.') is lodged by one Nurul Islam Maqbul Jat Sultan. He has stated that,

on 29/10/2021 there was some quarrel between one Hitesh More and one Alam Sanji at a restaurant. The informant had intervened in the quarrel. The applicant's help was sought for intervention in the quarrel. Thereafter the applicant had gone back to his house. On the next day i.e. on 30/10/2021, at about 7.00p.m. the applicant called the informant and asked him to meet him at Talasari. Therefore, the informant went there. The applicant had told the informant to bring Wajid with him. Around 2.00a.m. in the midnight, suddenly Hitesh More who was applicant's son in law, got angry and assaulted Wajid with a broken glass bottle. The informant told the applicant to stop the fight as there was a compromise between the two groups. At this stage, Hitesh More took out a knife and gave a blow on informant's right thigh and buttock. The applicant also removed a knife and gave a blow on the right side of waist of the informant. Their associate Alam gave a blow with knife on his left shoulder. All other associates brought wooden sticks, pipes, iron rods and started assaulting the informant. The informant was forced to sit in a car. The applicant also sat in the car. He was taken on the Highway. The informant

tried to get down from the running car, but he was again held back. Thereafter, Aquib Zakir Shaikh came there in his four wheeler and took the informant to Vapi and admitted him in hospital. After that the first informant lodged this F.I.R.

4. Learned counsel for the applicant submitted that, there is delay in registration of F.I.R. and injuries were not grievous, therefore, offence U/s.307 of IPC is not made out. Section 149 of IPC is not invoked.

5. Learned APP opposed this application. She produced medical papers and other investigation papers before me which included statement of the other injured eye witness. She submitted that, on 02/11/2021 itself the complaint was given to Vapi police station and it was transferred to Talasari police station and after translation of the original Gujarathi complaint, this F.I.R. was lodged. Hence, there was no delay in lodging F.I.R. She submitted that the offence is serious. The injuries are grievous and there are eye witnesses.

6. I have considered these submissions. I have seen the medical certificate. The medical certificate shows that, there are

seven incised wounds of various sizes between 2cm. to 18cm. There was right black eye and right ear bleed. There was multiple bruises and abrasion over left elbow. Thus, it is quite clear that the informant was brutally assaulted. Some of the injuries were on the vital parts, therefore, offence under section 307 of IPC is clearly made out. The photographs also show seriousness of the injuries. So far as, narration in the E.I.R. is concerned, it is supported sufficiently by the eye witness namely Wajid Inamdar who himself was assaulted.

7. Thus, there is sufficient material against the present applicant. The offence is quite serious. The informant has suffered many incised wounds. No case for grant of anticipatory bail is made out.

8. The application is rejected.

**(SARANG V. KOTWAL, J.)**