

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 710 OF 2020

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NITIN
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Date: 2022.03.29
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Gaurav Uday Patil

..Applicant

V/s.

The State of Maharashtra

..Respondent

Mr. Piyush Toshniwal a/w Aniket Nikam i/b Mr. Vivek Arote for
the Applicant.

Mr. A.R. Kapadnis, APP for the Respondent/State.

CORAM : C.V. BHADANG, J.

DATE : 28 MARCH 2022

P.C.

1. Heard the learned counsel for the parties.

2. The Applicant has been chargesheeted for the offence punishable under Section 302 and Section 4 read with Section 25 of the Arms Act and Section 37(1)(3) and 135 of the Maharashtra Police Act in Crime No. 84 of 2019 registered with Hadapsar Police Station, Pune for having intentionally caused death of Rahul Pralhad Patil.

3. It appears that there was a dispute between the Applicant and the deceased on account of hand loan. On 14.01.2019 at

about 10.00 p.m. in front of Fursungi, Anjana Apartment, Saswad, Pune, the Applicant after having an altercation with the deceased, assaulted him by a sickle resulting into his. The Applicant himself went to the Police Station with the sickle and surrendered and was taken into custody.

4. It transpired during the course of hearing that there are eyewitnesses to the incident, including Sujit Dubey, Shivaji Kamble and others who had also identified the Applicant in the identification parade.

5. The only contention raised on behalf of the Applicant is that the Investigating Officer has not recorded the statements of Bhushan Patil and Bandu Patil, who are referred to in the FIR.

6. It can be seen that the said FIR was registered on the basis of statement made by the Applicant himself and in any event, any lapses by the Investigating Officer in recording these statements may not be decisive more so at this stage. No case for grant of bail is made out.

7. The criminal application is rejected.

8. The trial stands expedited.

(C.V. BHADANG, J.)