

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.697 OF 2022

Afzal Sohrab Chaudhary .. Applicant
Versus
The State of Maharashtra .. Respondent

...

Mr.Akram Kapoor for the Applicant.
Mr.S.H.Yadav, A.P.P. for the State/Respondent.

...

CORAM: BHARATI DANGRE, J.
DATED : 29th SEPTEMBER, 2022

P.C:-

1. The applicant is charged for the offences punishable under Sections 307, 323, 354, 141, 147, 149, and 504 of the Indian Penal Code. He alongwith five other accused persons face the said accusation and the submission of the learned counsel for the applicant is that accused Nos.2, 4 and 5 are already released on bail, whereas accused No.6 is protected by an order, from being arrested.

2. On perusal of the charge-sheet, the role attributed to the present applicant has clearly surfaced on record and though it is alleged that he has hit the complainant on his head, the

injury certificate compiled in the charge-sheet, refer to a CLW over occipital region, which is described as non-grievous injury and the other injuries are the abrasions.

3. On the last date of hearing, learned A.P.P. has focused on the antecedents of the applicant, being 6 in number.

Today, learned counsel for the applicant has placed on record a chart, reflecting progress of the 6 cases and it can be seen that in C.R.No.I-49 of 2011, he is discharged on 23/06/2012 and in C.R.No.I-232 of 2015, the injured has turned hostile. In C.R.No.I-225 of 2016 registered with Kalwa Police Station, the complainant has filed an affidavit that applicant was not present on the spot. As far as two other CRs, being C.R.Nos.I-105 of 2012 and I-69 of 2014 are concerned, charge-sheet has not been filed and C.R.No.I-306 of 2016 is pending.

In the wake of the aforesaid, by taking note of the manner in which the cases against the applicant are already disposed off, considering the role attributed to him in the present C.R. and looking to the injury sustained by the injured, he deserve his release on bail.

: **ORDER** :

(a) Application is allowed.

(b) Applicant -Afzal Sohrab Chaudhary shall be released on bail in connection with C.R.No.I-362 of 2021 registered with Kalwa Police Station on furnishing P.R. Bond to the extent of Rs.25,000/- with one or two sureties in the like amount.

(c) The applicant shall mark his attendance before the concerned police station on first Monday of every month between 3.00 p.m. to 5.00 p.m. till framing of charge and, thereafter, shall abide by the directions issued by the trial Court.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(SMT. BHARATI DANGRE, J.)