

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.1667 OF 2022

Nirmalsingh Balwinder Singh Puni .. Applicant
Versus
The State of Maharashtra .. Respondent
...

Ms. Yogini Ugale a/w Mr. Abdul Khan for the Applicant.
Mr. S. V. Gavand, A.P.P. for the State/Respondent.
Ms. Rohini Jagtap, PSI, Andheri Police Station.

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CORAM: BHARATI DANGRE, J.
DATED : 23rd AUGUST, 2022

P.C:-

1. Heard the learned counsel for the applicant and learned APP Mr. Gavand.

The applicant face charge under section 307, 506 r/w 34 of IPC. He came to be arrested on 21/06/2021 in the subject CR, and pursuant to the investigation being complete, charge-sheet has been filed.

I have perused the material compiled in the charge-sheet, which reveal that the prosecution allege, that the present applicant along with the co-accused, assaulted the complainant Ramchandra Humbe in order to revenge the previous animosity.

It is alleged that it is the applicant, who assaulted the complainant with the help of a knife. The complainant has specifically stated that the applicant mounted attack on his head and when he wanted to avoid it, the blow landed on his arm of left hand, and when he bend down, he was also assaulted on his back.

2. Corresponding to the said version, is the injury report compiled in the charge-sheet from Cooper hospital which refer to an incise red wound over left scapular area of 8 x 0.5 x 5 cm and the second injury is a incise red wound of 8 x 3 x 3 on left posterior shoulder. All injuries are described to be fresh injury.

3. Apart from involvement of the applicant, in the subject CR, where the material compiled is to the effect, that the applicant is responsible for the injuries caused to the complainant, the charge-sheet also refer to various offences, which are registered against him from the year 2002 to 2010. Further Mr. Gavand, has also invited my attention to an order of externment passed under the Maharashtra Police Act, 1951 by the Police Commissioner on 11/11/2020, externing him from Mumbai and Mumbai suburban for a period of one year.

4. The Learned counsel for the applicant, do not dispute his presence in the city of Mumbai on the date of the incident which apparently amount to infraction of the said order. Though he make a serious attempt to demonstrate, that he has been wrongly implicated, the FIR, registered by the applicant himself with

Andheri police station vide CR No. 725 of 2021, in respect of the incident which took place on 20/06/2021 at 22:30 hours, while he was present in Andheri East on the said date, establish that the applicant had acted in violation of the externment order.

5. A person, who has no regard for law deserve no sympathy from this court, and particularly the accusations levelled against him are serious in nature and compiled in the charge-sheet.

6. The application is rejected.

(SMT. BHARATI DANGRE, J.)