

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1464 OF 2022**

Deepali Mangesh Kamble & Anr. .. Applicants

Versus

State of Maharashtra .. Respondent

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Mr.Aniesh S. Jadhav with Mr.Shyam K. Singh for the Applicants.

Mr.A.A.Palkar, A.P.P. for the State/Respondent.

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**CORAM: BHARATI DANGRE, J.
DATED : 06th JUNE 2022**

P.C:-

1. The two applicants are arraigned as accused Nos.2 and 3 in C.R.No.108 of 2022 registered on 14/03/2022 at Ghatkopar Police Station alongwith one Mangesh Kamble, husband of applicant No.1 and brother of applicant No.2.

The complaint is lodged by one Sunita Khairnar, who reported that she had informed the B.M.C., 'N' Ward that some illegal water connection has been obtained and this triggered the incident dated 09/03/2022, when Mangesh Kamble abused

and assaulted her by hands, resulting into registration of N.C.No.1005 of 2022. Another incident reported is of 13/03/2022 when the complainant alleged that in order to revenge the complainant, accused No.1 alongwith present applicants, indulged into a quibble and abused her. It is also alleged that she was assaulted by wooden sticks.

This resulted in invocation of Sections 324, 326, 504, 506(2) read with Section 34 of the IPC.

2. On hearing the learned counsel for the applicants as well as the learned APP and on perusal of the complaint as well as the medical papers, it is revealed that the injuries sustained by the complainant are simple in nature though the learned Additional Sessions Judge recorded it to be a fracture injury. After going through the medical papers, the learned APP concedes that the injuries are simple in nature.

The rivalry between the parties has resulted into the said incident and looking to the nature of the injuries, no custodial interrogation of the applicants is warranted, subject to the condition that they shall co-operate with the investigation. Hence the following order.

: ORDER :

- (a) Application is allowed.
- (b) In the event of arrest in connection with C.R.No.108 of 2022 registered with Ghatkopar Police Station, applicant No.1-Deepali Mangesh Kamble and applicant No.2-Bhavna Chintaman Kamble shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- each, with one or two sureties of the like amount.
- (c) The applicants shall report to the concerned police station on 7th and 8th June, 2022 between 10.00 a.m. to 2.00 p.m. and, thereafter, as and when called for.
- (d) The applicants, on being released on bail, will not indulge with the complainant or her family members in any manner, which will grant liberty to the prosecution to apply for cancellation of bail.
- (e) The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.

(SMT. BHARATI DANGRE, J.)