

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1863 OF 2022

Haresh Ankush Takkar .. Applicant
Versus
The State of Maharashtra .. Respondent

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Mr.Megashyam Kocharekar for the applicant.
Ms.Veera Shinde, APP for the State.
PSI P.M. Shirdhankar, from Andheri police station.

CORAM: BHARATI DANGRE, J.
DATED : 8th SEPTEMBER 2022

P.C:-

1 The applicant is charged for the offence punishable under Sections 307, 504, 506 r/w Section 34 IPC. On a complaint being lodged with Andheri Police Station on 30/1/2022, he came to be arrested on the very same day and seek his release on bail on the investigation being complete and on the ground that there was no intention to cause any injury/harm to the complainant.

 The case of the prosecution is that the applicant is a Tailor by profession and he indulged into an altercation with the complainant for an amount of Rs.30/- which the applicant sought from him in excess for the work of alteration of the pant which was assigned to him.

It is alleged that being irked over lesser payment, he stabbed the complainant by a scissors on his stomach, back and left forearm.

2 The injury certificate from the Cooper Hospital reveal four injuries over left chest and left scapula. The injured was admitted in the hospital on 30/1/2022 and she was discharged on 2/2/2022. The CT Scan of the Abdomen & Pelvis reveal cystic lesions in bilateral kidneys and liver, but in any case, stabbing is not the cause of the cyst.

The medical reports further reveal that there is no evidence of solid organ injury in the Abdomen and Pelvis. being noticed on carrying the CT Scan, though the report refer to presence of some cyst.

3 Considering the nature of injuries and the fact that the injury was not sufficient in ordinary course to cause his death, the applicant may face the trial for attempt to commit murder.

At present, his further incarceration is unnecessary. His release is however, subject to a strict condition of he moving himself from the area in which the complainant is residing.

4 Observations made above are prima facie in nature and limited for the purpose of adjudication of the present applicant, and shall in no way, bind the Sessions Judge while he is trying the applicant for the offence with which he is charged.

Hence, the following order :-

ORDER

- (a) The Applicant – Haresh Ankush Takkar in connection with C.R.No.48/2022 registered with Andheri Police station shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.
- (b) The applicant 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. The Applicant should not tamper with evidence.
- (c) The Applicant shall mark his attendance in the police station on first Monday of trimester between 12 noon to 2.00 p.m, till framing of charge.
- (d) The applicant shall not enter Koldongri, Andheri (East) where the complainant is residing.

The Application is allowed in the aforestated terms.

(SMT. BHARATI DANGRE, J.)