

...Petitioner

State of Maharashtra

...Respondent

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Mr. M.M. Deshmukh, APP for the State.

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DATE : 07 OCTOBER 2022.

P.C. :-

This petition takes exception to the order dated 13.06.2022 passed by Additional Sessions Judge, Pune below Exhibit-22 in Criminal Anticipatory Bail Application No. 676 of 2022.

2. The petitioner is the complainant in Crime No. 5 of 2022 registered at Koregaon Park police station, Pune for the offences punishable under Sections 354, 354-A, 504 read with Section 34 of Indian Penal Code.

3. The present petitioner filed an application at Exhibit-22 in an application filed by the accused in the aforesaid crime for anticipatory bail, before the Sessions Court. In the said application petitioner has stated that she apprehends that she would not get justice as she was not heard by the Court and sought time to file transfer application

before the Principle District Judge or before the High Court.

4. On 13 June 2022, the learned Additional Sessions Judge passed the following order on the said application at Exhibit-22:

“Perused the application and say filed by APP at 3.00 pm. This Court told informant/applicant that Court is first going to hear applicant/ accused’s Advocate, thereafter to APP and lastly to informant in spite of it prior to arguments by learned APP Informant/applicant had filed this application making wild allegations against this Court. In spite of it the Court is of the opinion that let the informant/ applicant get opportunity to knock the doors of Hon’ble PDJ for transfer of the bail application from this Court, hence adjournment granted.”

5. The grievance of the petitioner is that she has not made any wild allegations against the concerned Court. The observation to that extent, therefore be quashed.

6. I have perused the application at Exhibit-22. The apprehension of the petitioner that she would not get justice as she was not heard can not be termed as wild allegations. The use of word ‘wild’ in the order impugned was therefore not desirable.

7. With these observations, the petition is disposed of.

(N.R. BORKAR, J.)