

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2086 OF 2022
(modified as per order dt 30/8/2022)

Vinod Gangaram Joshi .. Applicant
Versus
The State of Maharashtra .. Respondent

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Mr.Dheeraj Panchange for the applicant.
Mr. S.V.Gavand, APP for the State.
API Shri Vijay Kajari from Ambernath police station.

CORAM: BHARATI DANGRE, J.
DATED : 2nd AUGUST 2022

P.C:-

1 On a complaint filed by Harishchandra Mhatre on 22/6/2022, in respect of an incident which occurred at 12 noon, C.R.No. 321/2022 was registered with Ambernath police station. The subject C.R initially invoke Sections 323, 324, 504, 506 r/w Section 34 IPC, and considering the injury sustained by the victim Manish Mhatre, which reported a fracture at distal end of third metacarpal, Section 326 IPC came to be appended.

2 On reading the complaint as it is, the limited role attributed to the present applicant is, he arrived at the spot when an altercation was taking place between the complainant and accused no.2 Kalpesh Joshi – the brother of the present applicant

on account of some complaints being lodged by Kalpesh with various Government authorities in respect of some construction. As per the complainant's version, the applicant arrived there and slapped him. Specific role is attributed of assaulting him s against accused no.4 Harish and Kashinath Mhatre, accused no.3.

3 Considering the limited role attributed to the present applicant of slapping the complainant, with no corresponding injury in the injury certificate, the applicant deserve his release on bail. Hence, the following order :-

ORDER

- (a) In the event of his arrest, the Applicant – Vinod Gangaram Joshi in connection of C.R.No.321/2022 registered with Ambernath 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 and should not tamper with evidence.
- (c) The Applicant shall report to the police station on 5th and 6th August 2022 and thereafter as and when directed.

4. The Application is allowed in the aforestated terms.

(SMT. BHARATI DANGRE, J.)