

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 2539 OF 2021

Suvarna Vijay Mohite ..Applicant

V/s.

The State of Maharashtra ..Respondent

Mr.Sujay H. Gangal i/b. Mr. Kuldip T. Pawar for the Applicant.

Mrs. M. R. Tidke, APP for the Respondent/State.

CORAM : C.V. BHADANG, J.

**DATE : 6 JANUARY 2022
(THROUGH VIDEO CONFERENCE)**

PC.

1. The Applicant who is the co-accused in Crime No.361 of 2021 of Tasgaon Police Station, District Sangli for the offences punishable under Sections 323, 324, 504, 506 r/w 34 of Indian Penal Code, seeking Anticipatory Bail Application.

2. I have heard learned counsel for the Applicant and the learned APP for the respondent-State.

3. It appears that there is family dispute *interse* between family of the Applicant and the family of the informant Dilip Mohite over an agricultural land. It also transpires that there is civil Suit pending between the parties in respect of said agricultural land.

4. On 10th July, 2021, at about 1.30 pm, it is alleged that when the complainant Dilip Mohan Mohite along with daughter Gouri and one Mr. Rakesh Yadav went to their land, and were ploughing field and carrying out other agricultural operations. At that time, the Applicant alongwith her husband and two sons viz. Kaushubh and Varad went to the same field and there was altercation between two

groups followed by the assault alleged by informant as well as the Applicant against each other.

5. Insofar as the present Applicant is concerned, it is alleged that she assaulted the informant by PVC pipe on his face resulting into loss of tooth. It appears that there is counter complaint lodged by the present Applicant on the same day against the Informant and others.

6. Considering overall circumstances, it appears that the incident in all probabilities has arisen out of a dispute over the agricultural land between two families and there are Civil Suit and counter complaint also pending.

7. Learned APP submitted that PVC pipe has already been recovered from the spot and thus further custodial interrogation of the Applicant may not be necessary.

8. Looking into nature of the allegations made by the parties against each other, the following order is passed;

ORDER

- i) In event of her arrest in Crime No. 361 of 2021, the Applicant shall be released on executing a PR Bond of in the sum of Rs.25,000/- with one more two sureties in the like amount.
- ii) The Applicant shall attend the Investigating Officer on 10.01.2022, 11.01.2022 and 12.01.2022 between 11.00 pm to 1.00 pm and as and when required by the Investing Officer.
- iii) The Applicant shall not tamper with evidence / prosecution witnesses.

9. Criminal Anticipatory Bail Application is disposed of in the aforesaid terms.

(C.V. BHADANG, J.)