

rajshree

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2671 OF 2022

Hiren Purshottam Solanki	]	..	Applicant
vs.			
State of Maharashtra	]	..	Respondent

Mr.D.S. Manerkar, for the Applicant.

Mr.S.H. Yadav, APP for the State.

PI Kadam, Jogeshwari Police Station Present.

CORAM : BHARATI DANGRE, J

DATE : 29th SEPTEMBER, 2022.

P.C.

1] The applicant is apprehending arrest in connection with CR No.60/2022 registered with Jogeshwari Police Station which invoke offences under Section 326, 506(2), 144, 147, 148, 120-B IPC read with 37(1) and 135 of the Maharashtra Police Act.

2] The complaint is lodged by one Amol Pathak, who was working with M/s. Eligate Builders and Developers and used to look after the work of the company. The company needed manpower to carry out the work and he approached one Akshay Nimbalkar who was running a company in the name of Daksham Facility Management Services which is into the business of providing services like house keeping security personnel etc. One Rohit Khandagale is also partner of the

said Company and 16 persons were deputed to the said company in different capacities.

It is alleged that on 11.03.2022, at around 11.00 a.m. Akshay Nimbalkar and Rohit Khandagale visited the site when one person arrived there and told them that one Hirenbbhai had called him in the Office. Accordingly, the complainant, Akshay Nimbalkar and Rohit Khandagale entered the office where Hiren Solanki i.e. the present Applicant alongwith other persons was found in the office and there were some 20-25 persons standing outside the office.

As per the complaint when he entered the Office, Hiren Solanki and Hira Molanki were found sitting and it is alleged that the Applicant took out a knife from the drawer and instigated the persons there to assault. This has resulted into assault being mounted and three persons are injured viz. The complainant himself, Rakesh Khandagale and Akshay Nimbalkar. The injury certificates reflect grievous injuries. The photographs placed on record by the learned APP reveal gravity of the injuries.

3] As far as the present Applicant is concerned, he has been specifically attributed role of instigating the persons though he may not be actual assailant. In such circumstance, let the Investigating Officer have custody of the Applicant and investigate into the matter, since it appears that at the instigation of Applicant, the assailants had taken law in their hands and assaulted the injured persons.

In the wake of above, Application is rejected.

[BHARATI DANGRE, J]