

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 2894 OF 2022

Rekha Rangnath Jadhav	...Applicant
Versus	
State Of Maharashtra	...Respondent

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Mr. Aadesh Statpute a/w Aniket Nikam i/b Mr. Amit Icham, Advocate
for the Applicant.

Ms. P. N. Dabholkar, APP for the Respondent – State.

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CORAM	:	PRAKASH D. NAIK, J.
DATE	:	17th OCTOBER, 2022.

PER COURT:

1. The applicant is apprehending arrest in C.R. No.214 of 2022 registered with Vadner Khakurdi Police Station Nashik (Rural) for offences punishable under Sections 326, 143, 147, 148, 149, 324, 323, 504, 506 and 427 of Indian Penal Code, 1860. Subsequently Section 307 of Indian Penal Code was invoked. The First Information Report was registered on 18th September, 2022.

2. The case of the prosecution is that, there is dispute relating to property between the complainant and accuse. On 17th September, 2022, the accuse abused the complainant and others and assaulted them with fist and kick blows. The applicant caught hands of the complainant. The co-accused Chetan Khairnar

assaulted complainant on her hand, head by stick. The husband of the complainant was assaulted by stick on head and legs. After complaint fell on the floor. He was assaulted by the Rangnath Jadhav with sharp weapon, which resulted in injury on the back of the complainants husband.

3. The First Information Report was registered at the instance of Rangnath Keshav Jadhav on 19th September, 2022 vide C.R. No.215 of 2022 with same Police Station for offences punishable under Sections 143, 147, 148, 149, 324, 323, 504, 506 and 427 of Indian Penal Code, 1860. The said FIR was registered against Gorakh Keshav Jadhav, Rohini Gorakh Jadhav, Sarika Arun Jadhav, Pradip Arun Jadhav and Arun Keshav Jadhav.

4. Prior to the registration of the FIR C.R. No.31 of 2022 was registered on 28th February, 2022 for offences punishable under Section 307 read with Section 34 of the Indian Penal Code, 1860 at the instance of applicant.

5. Learned counsel for the applicant submitted that, the incident had occurred on account of dispute between both the sides, custodial interrogation is not necessary. The role assigned to the applicant is that she caught hand of the complainant.

6. Learned APP submitted that, the applicant is involved in

crime previous cases vide C.R. 96 of 2021 was registered against applicant under Section 504 and 506 of the Indian Penal Code. C. R. No. 520 of 2021 was registered under Sections 323, 352, 504, 506 read with 34 of the Indian Penal Code. Non-cognizable complaint is registered against the applicant on 8th October, 2021 under Section 323, 504, 506 of IPC.

7. It appears that, both the sides are on logger head. There are complaints against each other. In the present case overt act attributed to the applicant is that, she caught hand of the complainant. She was not armed with any weapon. Considering the role and factual aspects of this matter, the applicant need not be subjected to custodial interrogation.

ORDER

(i) Criminal Anticipatory Bail Application No. 2894 of 2022 is allowed.

(ii) In the event of arrest of the applicant in connection with C.R. No.214 of 2022 registered with Vadner Khakurdi Police Station, Nashik (Rural), the applicant be released on bail on executing P.R. Bond in the sum of Rs.20,000/- with one or more sureties in the like amount.

(iii) The applicant shall report Investigating Officer on 20th and 21st October, 2022 between 11:00 a.m. to 1:00 p.m. and there after as and when called for.

(iv) Criminal Anticipatory Bail Application disposed off.

(PRAKASH D. NAIK, J.)