

Abhishek Surendrapratap Singh .. Applicant
Versus
The State of Maharashtra .. Respondent

CORAM: BHARATI DANGRE, J.
DATED : 14th NOVEMBER, 2022

1. The applicant is apprehending his arrest in connection with C.R. No.342 of 2022 which is invoked with the offences punishable under sections 326, 504, r/w 34 of IPC.
2. Heard the learned counsel for the applicant, and learned APP for the State.

On perusal of the material complied in the charge-sheet, which has been filed against other accused persons would reveal that the dispute arose out of the elections revolving around the Housing Society and it is the allegation that the father of the applicant was removed as a chairman and this was the reason for the animosity between the two families. On 22/5/2022, NC's

came to be registered and the incident which is reported is alleged to have taken place on 8:30 hours on the very same date.

When the complaint filed by Rahul Pawar is perused he specifically refers to the present applicant in the company of his father and to his two brothers and other family members. It is alleged that the present applicant assaulted the complainant by means of a punch on his temporal region, which resulted into bleeding injury. Similarly one Devidas Chavan was also assaulted in his face.

His supplementary statement is recorded on 20/06/2022, where he supplement his main statement. The injured Devidas Chavan also recorded his statement and in his supplementary statement he had clarified himself by stating that the person, who had assaulted him was Abhishek Surendrapratap Singh i.e. the applicant. Another independent witness Sagar Pawar also specifically refer to Abhishek Thakur, a person who is distinct from Abhijeet Thakur and attribute a specific role to him. The injury certificates of Devidas Chavhan and Rahul Pawar, the complainant are placed on record. Though the complainant has sustained a simple injury which is simple in nature as far as Devidas is concerned he has sustained grievous injury and *prima*

facie this is attributed to the present applicant.

3. In the wake of the aforesaid considering the past animosity and nature of injuries sustained, the custodial interrogation of the applicant is necessary as other accused being arrested are released on bail on completion of investigation and therefore the applicant must undergo custodial interrogation, since serious accusations are faced by him.

Needless to state that the observations made above are, *prima facie*, in nature and limited to the extent of adjudication of the present application and the learned Judge trying the applicant for the offences with which he is charged, shall not get influenced by the above observations in any manner.

4. Application is rejected.

(SMT. BHARATI DANGRE, J.)