

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3382 OF 2022

Pradip Dattatray Gawali ... Applicant

Versus

State of Maharashtra and another ... Respondents

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Ms. Surbhi Agrawal for the Applicant.

Ms. Veera Shinde, APP for the State.

Ms. Sonal Sabale for Respondent No.2.

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CORAM : N.R. BORKAR, J.

DATED : 16 DECEMBER 2022

P.C. :-

. This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 634 of 2022 registered at Yavat Police Station, for the offences punishable under Sections 307, 452, 324, 323, 504, 506 r/w. 34 of Indian Penal Code.

3. I have heard the learned Counsel for the applicant, the learned APP for the State and the learned Counsel for the Respondent No.2.

4. There are in all three accused in the present crime. The present applicant who is accused No.1 and accused No.2 are the sons of the injured complainant. The accused No.3 is the wife of the injured

complainant. Though on the date of incident, which took place on 5 August 2022, they all were residing together, there was some property dispute between them. According to the prosecution, on the day of incident, the present applicant alongwith the other co-accused assaulted the complainant by koyta, iron rod and bamboo stick and attempted to kill him.

5. The complainant has filed an Affidavit that they have amicably settled the dispute. He has no objection if the present applicant is granted anticipatory bail.

6. Even otherwise the injured-complainant appears to have sustained simple injuries. Considering the facts and circumstances of the case and as the parties have amicably settled the dispute, I am inclined to release the applicant on anticipatory bail. In the result, the following order is passed :

- (i) Application is allowed.
- (ii) In the event of arrest of the applicant - Pradip Dattatray Gawali in Crime No. 634 of 2022 registered at Yavat Police Station, for the offences punishable under Sections 307, 452, 324, 323, 504, 506 r/w. 34 of Indian Penal Code, he shall be released on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount.
- (iii) The applicant shall attend the concerned police station as and when called by the Investigating Officer.