

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

935 BAIL APPLICATION NO.566 OF 2023

DNYANESHWAR RAOSAHEB KHANPATE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Jadhav Satej S.
APP for Respondent-State : Mr. S. B. Narwade.

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CORAM : S. G. MEHARE, J.
DATE : 18.04.2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. It is a strange case that the husband and wife, who were in the Court for mutual divorce, the incident happened. The Crime bearing No.443 of 2022 was registered at Nava Mondha Police Station, District Parbhani, for the offence punishable under Section 307 of the IPC against the applicant/husband.
3. It appears from the arguments advanced by the respective counsels that the applicant his wife were in the Court to seek a mutual divorce, suddenly the quarrel took place and the applicant assaulted his wife with a cutter. The facts of the case shows that the relation between the applicant

and his wife were strained. It has been argued that the wife was intending to marry a paramour. But before divorce, she was trying to extract the money from the applicant. Hence, in the state of anger, the incident happened. Subsequently the injured/wife has made the written submission before the learned Sessions Judge that she did not have an objection for granting him bail.

4. Perusal of the record reveals that it was the incident happened suddenly in the Court premises. The victim/injured has been discharged. Her written submission reveals that they have realized the mistake committed by both. The investigation has been completed. The applicant and injured are already separated. Nothing is to be recovered from the applicant. In the circumstances, he deserves bail. Hence, the following order:

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **DNYANESHWAR RAOSAHEB KHANPATE** be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount, in Crime 443 of 2022, registered at Nava Mondha

Police Station, District Parbhani, for the offence punishable under Section 307 of the IPC, on the following conditions :

- (a) The applicant shall not tamper with the prosecution witnesses.
- (b) He shall not contact the victim in any mode or manner till the conclusion of the trial.

(S. G. MEHARE, J.)

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vmk/-