

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1109 OF 2023

DILIP MOTIRAM SALVE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicants : Mr. C. C. Deshpande
APP for Respondents: Mrs. G. L. Deshpande
...

CORAM : R.M. JOSHI, J
DATE : OCTOBER 30, 2023

PER COURT :

1. At the outset, when this Court has shown its disinclination to grant any relief to Applicant No.1, learned Counsel for this Applicant, on instructions, seeks withdrawal of Application.

2. Application stands dismissed to the extent of Applicant No. 1.

3. As far as Applicant No. 2 is concerned, he apprehends arrest in connection with with C.R. No. 88 of 2023 registered with Chalisgaon Road Police Station, Dist. Dhule for the offences punishable under Sections 307, 143, 147, 148, 149, 427, 323, 504, 506 of the Indian Penal Code and Sections 4/25 of the Arms Act and Sections 37(1)(3), 135 of Maharashtra Police Act.

4. Incident occurred on 10.04.2023 has been narrated by the informant to the police wherein allegations are made against accused of causing assault on him owing to the disputes between the parties.

5. Learned Counsel for the Applicant submit that there is delay in lodging of the FIR and in view of the fact that there is no overt-act alleged against present Applicant, his liberty deserves to be protected.

6. Though, learned APP opposed application, however, in the investigation papers nothing is seen to attribute actual assault against present Applicant. In view of this, application is allowed to the extent of Applicant No. 2 in terms of interim order dated 11th July, 2023.

(R.M. JOSHI, J.)

Malani