

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 840 OF 2023**

1. Vaibhav Ramdas Shinde

2. Shubham Shinde

...Applicants

Versus

The State of Maharashtra

...Respondent

.....

Mr. Ramji Kotali for the Applicant.

Mr. Amit Palkar, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 21 MARCH 2023

P.C. :-

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

2. The applicants are apprehending their arrest in Crime No. 138 of 2023 registered at Shikrapur Police Station, Pune (Rural) for the offences punishable under Sections 323, 324, 452, 504, 506 r/w 34 of the Indian Penal Code.

3. I have heard the learned counsel for the applicants and the learned APP for the respondent-State.

4. The applicants are cousins of the wife of the complainant. There appears to be matrimonial dispute between the complainant and his wife.

According to the prosecution, on the date of alleged incident which took place on 20 February 2023 the present applicants assaulted the complainant by still pipe and hockey stick when he came to take back his wife, who was residing at her parents house.

5. I have perused the injury certificate. The injuries are simple in nature. There are no other criminal antecedents. Considering the overall facts and circumstances of the case, I am inclined to release the applicants on anticipatory bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) In the event of arrest of applicants in Crime No. 138 of 2023 registered at Shikrapur Police Station, Pune (Rural) for the offences punishable under Sections 323, 324, 452, 504, 506 r/w 34 of the Indian Penal Code, they shall be released on bail on furnishing PR bond in the sum of Rs. 25,000/- each with one or two sureties in the like amount.
- (iii) The applicants shall attend the concerned police station as and when called by the Investigating Officer and shall co-operate in the investigation.

(N.R. BORKAR, J.)