

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 1456 OF 2022

Shaukatali Mohammed Siddiqui @ Shakku ...Applicant

V/s.

The State of Maharashtra ... Respondent

NILAM
SANTOSH
KAMBLE

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Mr.Kartik Garg, for the Applicant.

Ms.P.N. Dabholkar, APP for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 5th SEPTEMBER 2023

P.C:-

. By this Application, Applicant is seeking bail in Crime No.270 of 2021 registered with Megwadi Police Station, Mumbai for the offences punishable under Sections 307 of the Indian Penal Code ('IPC' for short) and Section 37(1), 135 of the Maharashtra Police Act.

2. The prosecution's case in brief is that, there was quarrel between Complainant and the Applicant on monetary issue and in that quarrel the Applicant gave blow of knife in the

stomach of the Complainant. On the basis of complaint offence was registered against the Applicant.

3. It is contention of learned counsel for the Applicant that, the Applicant is behind the bar since 23rd June 2021. Investigation is completed and charge-sheet has been filed. Only one blow of knife was given on the stomach of the Complainant, so it can't be said that said blow was life threatening. The Applicant is Karta of his family. Hence, requested to allow the Application.

4. It is contention of the learned APP that, knife blow was given on the stomach of the Complainant. It is vital part of the body. The medical paper shows that the nature of injury was grievous injury. The eye witness who saw the incident have narrated about assault by the Applicant on Complainant. There is *prima facie* case against the Applicant. Hence, requested to reject the Application.

5. I have heard both learned counsel. Perused FIR and Charge-sheet.

6. Admittedly, the Applicant had given one blow on the stomach of the Complainant. Medical papers shows that, injury was grievous injury. The incident happened due to sudden quarrel. The Applicant is behind bar more than two years. Investigation is completed and charge-sheet has been filed. Hence, no further detention of the Applicant is required.

7. In view of above, I pass following order.

ORDER

(i) The Applicant be released on bail in Crime No.270 of 2021 registered with Meghwadi Police Station, Mumbai on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.

(ii) After his release from jail the Applicant shall attend the Meghwadi Police Station, Mumbai once in a month i.e. on every 1st Monday of the month between 11.00 a.m. to 3.00 p.m. till the framing of charge.

(iii) The Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

(iv) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)