

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.3054 OF 2023

Mukunda Baban Sonawane	...Applicant
vs.	
The State of Maharashtra	...Respondent

Mr. Dhiraj Bansode, for the Applicant
 Mr. S.H. Yadav, APP, for the Respondent/State.
 Mr. Manoj Waghmare, PSI, Nandgaon police station.

CORAM : N. J. JAMADAR, J.
DATE : DECEMBER 12, 2023

P.C.:

1. Heard the learned counsel for the applicant and the learned APP for the State.
2. This application is preferred seeking pre-arrest bail in connection with C.R. No. 293 of 2022 registered at Nandgaon police station, Nashik for the offences punishable under sections 307, 324, 504, 506 and 109 read with 34 of Indian penal Code, 1860.
3. By an order dated 31st October, 2023 this Court was persuaded to grant interim bail observing inter alia as under:-

6] Prima facie, it appears that there is inordinate delay in lodging the FIR. The wife of the applicant had lodged FIR on 29th August, 2022. It appears that counter versions were reported in respect of the one and the same occurrence. The submission on behalf of the applicant that the instant FIR came to be lodged as a counter blast prima facie carries substance. The first informant, in the instant FIR, states that efforts were made to resolve the dispute at village level and, therefore, FIR was not lodged in the instant crime.

However, the fact remains that, in the intervening period, the wife of the applicant had lodged the report against the informant party.

4. The learned counsel for the applicant submits that the applicant has appeared before the investigating officer and cooperated with the investigation.

5. For the reasons which weighed with this Court in granting the interim bail and in the circumstances of the case, I am impelled to make the order of interim bail absolute.

6. The order of interim bail dated 31st October, 2023 is made absolute on the terms and conditions incorporated therein.

7. In addition, the applicant shall regularly attend the proceedings before the jurisdictional Court.

8. It is clarified that these prima facie observations are confined to determine entitlement to pre-arrest bail only.

Application disposed.

(N. J. JAMADAR, J.)