

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPLN) NO.6 OF 2023

The State of Mah. PSO PS Khaparkheda, Nagpur (Rural) .Vs. Laik Haifz Ansari

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms H.N. Jaipurkar, A.G.P. for the applicant/State.

Shri R.M. Daga, Advocate for the non-applicant.

CORAM : ANIL S. KILOR, J.

DATED : 24/07/2023

1. Heard.
2. This is an application moved by the State for cancellation of bail of the non-applicant on the ground that he misused the liberty by committing an offence after he was released on bail in Crime No.0522 of 2020 for the offences punishable under Sections 341, 307, 324, 323, 427, 143, 147, 148, 149 of the Indian Penal Code (IPC).
3. It is submitted that the non-applicant was released by this Court vide order dated 11.07.2022 and thereafter on 16.12.2022 he committed offence under Sections 353, 332, 294, 506, 143 and 147 of the IPC.
4. The learned counsel for the non-applicant on the other hand, points out that after the said alleged offence dated 16.12.2022 when the non-applicant was produced before the Judicial Magistrate First Class, he made a complaint about assault made by the Police Inspector. After

medical examination of the non-applicant from the Government Medical Hospital at Saoner, the Magistrate found that the allegation made by the accused are supported by the medical report.

5. The learned Magistrate therefore issued process under Section 324, 323, 504 and 506 of the Indian Penal Code.

6. He therefore submits that, to escape from the clutches of the law, on knowing that the non-applicant would lodge a complaint against the Police Inspector for assault made by him, a false report came to be lodged against non-applicant and even the present application is the outcome of the same.

7. The order dated 21.12.2022 made by the Judicial Magistrate First Class, Saoner on a complaint by non-applicant on his production before Court in Crime No.691 of 2022, it is apparent that the concerned Police Inspector assaulted the non-applicant. *Prima facie* it appears that to save himself from the clutches of the law, he filed the complaint vide Crime No.691 of 2022.

8. In the above referred backdrop, the case of the applicant that the non-applicant has misused the liberty cannot be accepted and accordingly, the application is **rejected**.