



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

CRIMINAL APPLICATION (BA) NO.723 OF 2023

Parmeshwar Sunil Pawar .Vs. State of Maharashtra, through P.S.O., P.S. Asegaon,
Dist. Washim

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

Court's or Judge's Order

Shri Mir Nagman Ali, Advocate for petitioner.

Ms M.R. Kavimandan, A.P.P. for respondent/State.

CORAM : ANIL S. KILOR, J.

DATED : 10/10/2023

1. The applicant is seeking bail in Crime No.263 of 2020, registered with Police Station: Asegaon, District: Washim, for the offences punishable under Sections 302, 307, 324, 147, 148, 149, 504 and 506 read with Section 34 of the Indian Penal Code.

2. Except the applicant and one Sunil, all other co-accused persons are released on bail. The post mortem report *prima facie* does not support the allegation made in relation to assault on the deceased by the accused persons, made in the First Information Report (FIR).

3. Moreover, *prima facie*, the FIR shows that the incident had taken place out of sudden quarrel and it was not premeditated. In the FIR, though it is stated that, the applicant was having stick subsequently, in the

supplementary statement, it was alleged that, the applicant was holding sickle and the record shows that, it was recovered from the applicant. However, the weapon does not have any blood stain on it.

4. Thus, considering the fact that, though the co-accused persons against whom similar allegations are made have already been released on bail, I am of the opinion that, the applicant is entitled for grant of bail.

- a) The criminal application is **allowed**.
- b) It is directed that the applicant shall be released on bail on furnishing P.R. Bond of Rs.25,000/- with one solvent surety in the like amount in Crime No.263 of 2020, registered with Police Station: Asegaon, District: Washim, for the offences punishable under Sections 302, 307, 324, 147, 148, 149, 504 and 506 read with Section 34 of the Indian Penal Code.
- c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence.

- d) The applicant shall attend each and every date of hearing of the proceedings before the concerned Court and shall ensure that the trial is not prolonged or protracted on his count.

The criminal application is accordingly
disposed of.

JUDGE