



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (ABA) NO.557 OF 2023

Aman Manoj Gawani and another Vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri A.M. Sharma, Advocate for applicants.
Mrs. M.A. Barabde, APP for non-applicant/State.

CORAM : M.W. CHANDWANI, J.
DATE : OCTOBER 03, 2023.

The applicants are apprehending their arrest in connection with Crime No.225/2023 registered with Police Station, Ramdaspath, Akola for the offence punishable under Sections 323, 324 and 326 read with Section 34 of the Indian Penal Code.

2. Heard learned counsel for the applicants as well as learned APP for the non-applicant/State. I have perused the record.

3. On perusal of FIR shows that on 10.06.2023 informant received call from unknown person pretending to be his friend and called informant at Gurudwara to give him surprise. The informant alongwith his friend went to the Gurudwara. The applicants alongwith juvenile in conflict with law came there on a scooty. Juvenile in conflict with law gave knife blow on the back of the informant, whereas the present applicants assaulted him by fist and kick blows. The informant and his friend raised alarm therefore the applicants and juvenile in conflict with law fled away. On the complaint of the

informant the aforesaid crime is registered against the applicants and the juvenile in conflict with law.

4. The case diary shows that the juvenile in conflict with law, who gave a knife blow, has already been arrested and released on bail. The knife is already been recovered. The role attributed to the present applicants was of assaulting the informant by means of fist and kick blows. The applicants were protected by ad interim protection. Pursuant to which, they attended the concerned police station.

5. Considering the role played by the applicants and the fact that the knife has already been recovered from the juvenile in conflict with law, a case is made out for anticipatory bail. So far as anxiety of learned APP regarding conduct of test identification parade is concerned, the applicants can be put on terms. Hence, I proceed to pass the following orders:

ORDER

- i. The application is allowed.
- ii. The ad interim protection order dated 18.08.2023 is hereby confirmed.
- iii. The applicants shall attend the concerned Police Station as and when called by the investigation officer and shall cooperate in the investigation, till filing of the charge-sheet.

The application is disposed of.

JUDGE

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