



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

13 CRIMINAL APPEAL NO. 638 OF 2024

Krushna Punamsingh Pardeshi

VERSUS

The State of Maharashtra and another

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Advocate for Appellant : Mr. Anandsingh S. Bayas

APP for Respondent No.1: Mrs. R.R. Tandale

Advocate for Respondent No.2 : Mr. K.N.Shermale

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CORAM : SHIVKUMAR DIGE, J.

DATED : 22nd JULY, 2024.

PER COURT :-

1. This appeal is preferred against the order dated 14th June, 2024 passed by the Additional Sessions Judge, Newasa in Criminal Bail Application No.167 of 2024 filed in pursuance of FIR No.504 of 2024 registered with Newasa Police Station, for the offences punishable under sections 307, 324, 323, 504, 506, 337, 143, 147, 148 and 149 of the Indian Penal Code (For short, "I.P.C.") and sections 3(1)(r)(s), 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. It is contention of learned counsel for the appellant that the appellant is behind bars since 25th May, 2024. The appellant has been falsely implicated in this case. The learned counsel further submitted that the allegations against the appellant are that he tried

to run over his vehicle on the husband of the informant and tried to kill him. But injury certificate of the husband of the informant shows that he had suffered simple injuries. The appellant had no intention to kill him. Learned counsel further submitted that the matter is settled at village level by Tanta Mukti Samiti and first informant has no objection to grant bail to the appellant, hence requested to allow the appeal.

3. It is contention of learned APP that the appellant along with co-accused assaulted the first informant and witnesses. The appellant tried to kill the first informant by running over a vehicle on him. The injury certificate produced on record shows that the informant has suffered injuries due to the dash of the vehicle. The learned APP further submitted that the appellant abused the first informant on his caste. If the appellant is released on bail, he may threaten the prosecution witnesses, hence requested to reject the appeal.

4. It is contention of learned counsel for respondent no.2 that the matter is settled before the Tanta Mukti Samiti of village. Informant has no objection if bail is granted to the appellant.

5. I have heard all the learned counsel. Perused the impugned order passed by the trial Court, F.I.R. and police papers produced on

record.

6. Allegations against the appellant are that he tried to kill the husband of the informant by running over the vehicle on him. The injury certificate of the husband of the informant shows that he had suffered simple injuries. The appellant is behind bars for more than one month. The matter is settled before the Tanta Mukti Samiti. First informant has no objection for granting bail to the appellant. Considering all these aspects, further detention of the appellant is not required and I pass the following order :-

ORDER

- (i) The appeal is allowed.
- (ii) The order dated 14th June, 2024 passed by the Additional Sessions Judge, Newasa in Criminal Bail Application No.167 of 2024 is quashed and set aside.
- (iii) The appellant in connection with FIR No.504 of 2024 registered with Newasa Police Station, for the offences punishable under sections 307, 324, 323, 504, 506, 337, 143, 147, 148 and 149 of the Indian Penal Code and sections 3(1)(r)(s), 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 be released on executing personal bond in the sum of Rs.15,000/- with

one surety of the like amount, on the following conditions :-

(a) the appellant shall attend the concerned police station as and when required by the Investigating Officer.

(SHIVKUMAR DIGE, J.)

rlj/