



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

989 APPLICATION FOR CANCELLATION OF BAIL NO. 178 OF 2023

Rushikesh Karamveer Chauhan

...Applicant

Versus

1. The State of Maharashtra
2. Atharva Sanjay Udavant
3. Sujay Sanjay Udavant

...Respondents

...

Advocate for Applicant : Mr. Shivraj B. Kadu

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

Advocate for Respondent Nos.2 and 3 : Mr. A.R. Kawale

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CORAM : SHIVKUMAR DIGE, J.

DATED : 10th JULY, 2024.

PER COURT :-

1. By this application, the applicant prays for cancellation of anticipatory bail granted to respondent Nos.2 and 3 in crime No. 29 of 2023 registered with Vedant Nagar police station, Aurangabad for the offences punishable under Sections 279, 323, 326, 504, 506 r.w. 34 of I.P.C.

2. It is the contention of the learned counsel for the applicant that the Sessions Court has granted anticipatory bail to respondent No. 2 and 3 without considering the fact that the said respondents had assaulted the applicant with metal weapon. There is no recovery of weapon and the vehicle used in the crime. Hence, their custodial interrogation is required and requested to allow the application.

3. It is the contention of learned counsel for respondent Nos. 2 and 3 that the investigation is completed and charge sheet has been filed before one year. Hence, custodial interrogation of respondent Nos. 2 and 3 is not required and requested to reject the application.

4. Learned A.P.P. submits that the appropriate order be passed.

5. I have heard all the learned counsel. Perused the charge sheet and relevant papers produced on record. It appears that charge sheet against respondent Nos. 2 and 3 has been filed on 17.7.2023 i.e. before one year. Now the trial is in progress. Considering this fact, the custodial interrogation of the respondent Nos. 2 and 3 is not required. Hence, I pass the following order:-

O R D E R

- I. The application is rejected.
- II. The trial court shall proceed with the trial on its own merits.

(SHIVKUMAR DIGE, J.)

rlj/