

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.2156 OF 2024

Akash Vishnu Bondre Applicant
Versus
The State of Maharashtra Respondent

Mr. Hrishikesh S. Shinde, Advocate for the Applicant.
Mr. Prashant P. Jadhav, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 02nd AUGUST, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.699/2023 registered with Faujdar Chavdi Police Station, Solapur City on 12.12.2023 under sections 326, 327, 427, 323, 504, 506, 143, 147, 148 and 149 of IPC.

2. Heard Mr. Hrishikesh Shinde, learned counsel for the Applicant and Mr. Prashant Jadhav, learned APP for the Respondent-State.

3. The FIR is lodged by one Devidas Raut. He is the father-in-law of the present Applicant. The informant's

daughter and the Applicant had some dispute. On 11.12.2023, the informant's daughter had lodged a complaint against the Applicant and his family. The informant's wife had lodged her independent complaint against one Kallappa Pujari on 11.12.2023. On that day, at around 3.00 p.m., the Applicant called the informant at a spot. The informant went there with his other daughter. At that time, the Applicant, the co-accused Kallappa Pujari and Vishnu Bondre were standing on the road. They were accompanied by two unknown persons. The informant went there. It is alleged that the Applicant and his friend Kallappa Pujari started quarreling with him on the ground that the informant's daughter and wife had lodged complaint against them. It is alleged that the Applicant removed a knife and gave a blow on the informant's left ear with handle of the knife and also on the backside of his head. The others assaulted the informant with kick and fist blows. Vishnu broke his mobile phone. The Applicant abused the informant's other daughter. After that the accused went away. Then this FIR is lodged.

4. Learned counsel for the Applicant submitted that the co-accused Kallappa Pujari who is similarly placed, is granted bail by this Court vide order dated 14.2.2024 in A.B.A. No.429/2024. He submitted that as of today the informant's daughter and the Applicant are staying together. The dispute is resolved. The informant has not suffered any grievous injury. No offence under Section 326 of IPC is made out. Therefore, the Applicant's custodial interrogation is not necessary.

5. Learned APP opposed these submissions. He submitted that the weapon is yet to be recovered from the Applicant. He produced the medical certificate before the Court. It is taken on record and marked 'X' for identification. Learned APP submitted that considering the seriousness of the allegations, anticipatory bail may not be granted to the Applicant.

6. I have considered these submissions. The informant had suffered three simple injuries, as mentioned in the medical certificate produced before the Court. Therefore, in the first place it is doubtful as to how Section 326 of IPC is

applied in this case. Even otherwise, the learned APP on instructions, conceded that the informant's daughter and the Applicant are now staying together. Therefore, apparently the dispute which has been the cause behind this incident, seems to have been resolved. The co-accused Kallappa Pujari is granted anticipatory bail.

7. In this view of the matter, there is no reason to deny the protection of order under Section 438 of Cr.P.C. to the present Applicant. His custodial interrogation is not necessary. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R.No.699/2023 registered with Faujdar Chavdi Police Station, Solapur City, the Applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) Anticipatory Bail Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)

Deshmane (PS)