

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

ANTICIPATORY BAIL APPLICATION NO.1229 OF 2024

Ravi @ Mahesh Sanjay Adhangale Applicant
versus
The State of Maharashtra Respondent

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- Mr. Sumeet Gemnani a/w Shubham Tiwari a/w Sagar S. Kamble i/b. Satyan Pille, Advocate for Applicant.
- Ms. Rajeshree V. Newton, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 07th MAY, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.348/2024, dated 01/04/2024, registered with Hill Line Police Station, Thane City, under sections 307, 385, 427, 504, 506 (2) r/w 34 of the Indian Penal Code and under section 4 and 25 of the Arms Act.
2. Heard Mr. Sumeet Gemnani, learned counsel for the Applicant and Ms. Rajeshree V. Newton, learned APP for the State.
3. The FIR is lodged by one Niraj Gaund. He has stated that the present Applicant and his family are residing behind the informant's house. There are allegations that the Applicant's

brother used to demand extortion money. He used to threaten them and therefore in the past the informant's father had given one NC complaint. On 26/03/2024, the Applicant's brother Akash went to the informant's handcart and demanded money, but he refused. The same thing was repeated on 27/03/2024. The informant and his family did not lodge any complaint instead Akash himself lodged an NC against the informant's family.

4. The incident in question which is the subject matter took place on 01/04/2024 at 11.45 a.m. It is mentioned in the FIR that Akash brought a hot iron rod and gave a blow on the informant's leg. Because of that, the informant suffered burn injuries on his leg. Then Akash went to his house and brought a sword. The present Applicant brought a knife and both of them tried to give blows on the informant, but he evaded both those blows. There was some injury on the left side of the neck of the informant. It is further alleged that the Applicant then assaulted him with wooden stick on his head. The informant ran away from there. They damaged the informant's handcart. On this basis, the FIR is lodged.

5. Learned counsel for the Applicant submitted that the allegations in the FIR are false. In fact, the Applicant's brother Akash had lodged his own FIR about the said incident in the same police station vide C.R.No.346/2024 on 01/04/2024 mainly u/s 324 and other sections of the IPC. He submitted that in that incident Akash was assaulted on his head by the informant's relatives and Akash had suffered head injury. One Sheela had thrown hot water on his leg. He submitted that there is medical record to support the FIR lodged by Akash.
6. Learned APP produced the investigation papers in both these offences i.e. C.R.No.348/2024 and C.R.No.346/2024 registered with Hill Line Police Station. The informant in this case had suffered one CLW of the size 2 x 1 x 1 cm and the nature of injury was described as the simple. There is first degree burn on left palm. To that extent his allegations are supported. However, his FIR does not appear to be completely true because the Applicant's brother Akash had suffered more serious injury. He had suffered head injury which required

suturing under local anesthesia. The FIR lodged against the Applicant and his brother is completely silent about this fact. Therefore, it is quite clear that the FIR lodged by the informant Niraj is not the true depiction. There are exaggerations. In this view of the matter, the Applicant's custodial interrogation will not be justified.

7. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R.No.348/2024, dated 01/04/2024, registered with Hill Line Police Station, Thane 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) The application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)