

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

ANTICIPATORY BAIL APPLICATION NO.3337 OF 2023

Rohan Kishor Pawar

.... Applicant

versus

State of Maharashtra

.... Respondent

.....

- Mr. Abdul Kader Millwala, Advocate for Applicant.
- Ms. Mahalakshmi Ganapathy, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 19th JANUARY, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.122/2023, dated 24/07/2023, registered with Koregaon Park Police Station, Pune City, under sections 323, 324, 326, 506 r/w 34 of the Indian Penal Code.
2. Heard Mr. Abdul Kader Millwala, learned counsel for the Applicant and Ms. Mahalakshmi Ganapathy, learned APP for the State.

3. The FIR is lodged by one Vaibhav Shedge in respect of the incident dated 22/07/2023. He has stated that he was knowing the present Applicant as he was working in a nearby coffee shop. On the date of incident, the Applicant and one more person approached the informant and started demanding money. According to the first informant, the Applicant was under the influence of liquor. There was quarrel and the Applicant became aggressive. The Applicant allegedly abused the informant and started pushing him. It is alleged that the Applicant assaulted the informant on his head, left arm and stomach. The informant's brother Prakash Shedge came there and assaulted the Applicant with a stick. He rescued the informant. Thereafter the Applicant and his companion fled away. The FIR mentions that the informant had gone to the hospital and got his injuries sutured. On this basis, the FIR is lodged.
4. Learned counsel for the Applicant submitted that the Applicant himself was assaulted by the informant and his

brother for which he has lodged his own C.R.No.121/2023 at the same police station u/s 324 of the Indian Penal Code. Learned counsel relied on the photographs of the injuries suffered by the applicant himself.

5. He submitted that the version in the FIR against the Applicant is not true. The injuries suffered by the informant are simple in nature. The Applicant is a student. He is 21 years of age. Therefore, his custodial interrogation may not be necessary.
6. Learned APP produced the injury certificate before me. I have perused the injury and I have considered these submissions. The informant has suffered three incised wounds. Two were on the head and third one on the left arm. The medical certificate issued by Sassoon hospital clearly mentions that the injuries were simple in nature.
7. Considering these circumstances and also taking into account the injury suffered by the Applicant himself, the

contention in the FIR may not be entirely correct. In these circumstances, the Applicant can be protected from the arrest.

8. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R.No.122/2023, dated 24/07/2023, registered with Koregaon Park Police Station, 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 Applicant shall attend the concerned Police Station once a week till the charge-sheet is filed and shall cooperate with the investigation.
- (iii) The application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)