

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

ANTICIPATORY BAIL APPLICATION NO.3675 OF 2023

1) Kundalik Ramdas Sutar and Anr.&

2) Kavita @ Sunanda K. Sutar

.....Applicants

versus

The State of Maharashtra

... Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO.3677 OF 2023**

1) Haridas Parshuram Sathe and Anr. &

2) Kalpana @ Vanita H. Sathe

..... Applicants

versus

The State of Maharashtra

.. Respondent

Mr. Rohan Hogle for the Applicants in both ABA's.

Ms. Pallavi N. Dabholkar, APP for the State/Respondent.

Mr. Tohid Shaikh i/b Ms. Anjali Patil for the complainant in both ABA's.

CORAM : SARANG V. KOTWAL, J.

DATE : 17th JANUARY 2024

P.C. :

1. Both these applications are decided by this common order

because they arise out of the same registered offence.

2. Heard Mr. Rohan Hogle, learned counsel for the Applicants, Ms. Pallavi N. Dabholkar, learned APP for the State and Mr. Tohid Shaikh for the complainant.
3. The Applicants, are seeking anticipatory bail in connection with C.R. No.1006 of 2023, registered at Chakan Police Station , Pune under Sections 326, 504,143,147, 148,149, of IPC.
4. The FIR is lodged by one Sushila Jadhav. She has stated that there was dispute regarding boundary of the Applicants' land and the informant's land. The incident occurred on 24th November 2023, at about 3.00 PM. The informant and her husband were present in their land. All the Applicants and 30 to 40 other women came near them. It is alleged that the informant and her husband were assaulted. The Applicant Kalpana Sathe assaulted with an iron rod. They broke the Poles in the land and they went away. The informant was taken to Chakan Police Station and after that she took medical treatment. On this basis the FIR is lodged.
5. Learned counsel for the Applicants as well as the informant jointly make a statement that both the groups have settled their

differences. Learned counsel for the informant makes a statement that the informant does not have any objection if anticipatory bail is granted to the Applicants.

6. Both the learned counsel invited my attention to the fact that the Applicants' group has lodged their own FIR vide C.R. No. 1005 of 2023 at Chakan Police Station, Pune in respect of the same incident. The said FIR is mainly under Section 324 of the IPC as well as under Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Both of them submitted that the Applicants' group had no objection for grant of anticipatory bail to the informant's group. Both the parties have filed their respective petitions before the Division Bench of this Court for quashing of both these FIR's.
7. Learned APP produced the injury certificate in respect of the first informant. The informant has suffered six injuries, there were four contusions and one abrasion. There was mention of a grievous injury, but it is not clarified as to which one was the grievous injury and as to why it was described as a grievous injury.

8. I have considered these overall circumstances. Since the parties have settled the matter and since the informant has no objection for allowing these applications. The protection under Section 438 of Cr.Pc. can be granted to all the Applicants in the backdrop of the allegations made by both the parties against each other.

9. Hence, the following order :

ORDER

- (i) In the event of their arrest in connection with C.R. No. 1006 of 2023, registered with Chakan Police Station, Pune the Applicants are directed to be released on bail on their executing PR bond in the sum of Rs.30,000/- each with one or two sureties each in the like amount.
- (ii) The Applicants shall cooperate with the investigation.
- (iii) The Anticipatory Bail Application is disposed of accordingly.

(SARANG V. KOTWAL, J.)