

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

Anticipatory Bail Application No. 2768 of 2024

Vishal Narayan Khot

Aged 30 years, Occ. Service,

R/at Room No.1, Building No.30,

Deonar Municipal Colony, Near

Maternity Hospital, Shivaji Nagar,

Govandi (West), Mumbai.

... Applicant

Vs.

The State of Maharashtra

[At the instance of Senior Inspector

of Police, Deonar Police Station

vide (CCTNS No.255 of 2024)

CR No.90 of 2024]

... Respondent

Mr Nitin Sejpal a/w Ms Pooja Sejpal and Ms Akshata Desai, for
the applicant.

Mr Amit A Palkar, APP, for the respondent/ State.

API Rahul Mokate, Deonar Police Station, Mumbai, is present.

Coram: R. N. Laddha, J.

Date: 16 October 2024.

P.C.:

Leave to amend to correct the reference of the FIR.
Amendment to be carried out forthwith.

2. This is an application for pre-arrest bail filed by the

applicant, apprehending arrest in CR No.90 of 2024 (CCTNS No.255 of 2024), registered at Deonar Police Station, Mumbai, for offences punishable under Sections 307, 143, 144, 146, 147, 148 and 149 of the Indian Penal Code, and Sections 37(1) and 135 of the Maharashtra Police Act, 1951.

3. The prosecution alleges that on 3 March 2024, the applicant, along with co-accused, assaulted the informant's brother.

4. Mr Nitin Sejpal, the learned Counsel for the applicant, submits that there are cross cases involving both the applicant and the informant. The injuries sustained by the informant's brother were simple in nature, and the applicant did not use any weapon during the alleged incident. The applicant himself sustained injuries while trying to mediate the dispute. The investigation is complete, and a charge sheet has been filed.

5. Mr Amit Palkar, the learned Additional Public Prosecutor, acknowledges that both parties have filed cases against each other. The investigation is complete, and a charge sheet has been filed. The prosecution does not require the applicant's custody.

6. Upon perusing records, it becomes evident that the

applicant has not been accused of using any weapon in the commission of the alleged crime. The injuries sustained by the informant's brother are categorised as simple. The investigation has concluded, and a charge sheet has already been submitted to the Court. The learned APP, based on instructions, acknowledges that the prosecution does not require the applicant's custody. This statement from the prosecution indicates its implicit consent to the granting of pre-arrest bail. In these circumstances, this Court is inclined to grant pre-arrest bail to the applicant. Hence, the following order:

ORDER

- (i) In the event of the applicant's arrest in connection with CR No.90 of 2024 (CCTNS No.255 of 2024), registered at Deonar Police Stsation, Mumbai, he shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.
- (ii) The applicant, himself or through any other person, shall not tamper with the evidence or influence the witnesses.
- (iii) The applicant shall attend the

jurisdictional Court regularly and cooperate
with the expeditious disposal of the trial.

7. The application stands disposed of accordingly.

(R. N. Laddha, J.)