



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 18 OF 2024

Gajanan Kashinath Kamble V/s State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms. Punam Pisurde, counsel h/f Mr. S.V.Sirpurkar, counsel for the applicant.
Mrs. R.V. Sharma, APP for the non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 07/03/2024.

1. By preferring this application, the applicant is seeking pre-arrest bail, in connection with Crime No. 465/2023, registered with Police Station, Old City, Akola District Akola for the offences punishable under Sections 327, 324, 294 and 506 read with Section 34 of the Indian Penal Code, 1860.

2. The accusation against the present applicant is on the basis of report lodged by Mohammad Imran Sheikh Rasul, wherein it is alleged that present applicant and his son abused him in a filthy language and also assaulted him. On the basis of said report, police have registered the crime.

3. The learned counsel for the applicant Ms. Punam Pisurde submitted that during the pendency of this application both the parties have arrived at an amicable settlement. As far as the custodial interrogation is concerned, which is not required. In view of the order of

this Court, the applicant attended the concerned Police Station and cooperated with the investigating agency. In view of that, the interim protection granted to him deserves to be confirmed.

4. Learned APP strongly opposed the present application and submitted that the offences alleged are not compoundable one. The custodial interrogation of the present applicant is required. In view of that, the application deserves to be rejected.

5. Having heard learned counsel for the applicant and learned APP for the State, perused the First Information Report. After going through the recitals of the First Information Report, admittedly the abuses used by the present applicant is not mentioned. Moreover, the order passed by the learned trial Court shows that complainant has settled matter and sworn an affidavit. In view of that, interim protection granted to the present applicant deserves to be confirmed. Accordingly, I proceed to pass the following order:

- a] The Criminal application is **allowed**.
- b] In the event of his arrest, in connection with Crime No. 465/2023, registered with Police Station, Old City, Akola District Akola for the offences punishable under Sections 327, 324, 294 and 506 read with Section 34 of the Indian Penal Code, 1860, the applicant-Gajanan Kashinath Kamble, shall be released

on anticipatory bail, on furnishing P.R. Bond in the sum of Rs. 25,000/- with one solvent surety in the like amount.

- c] The applicant shall not induce, threat or promise any other witnesses who are connected with the alleged crime.

The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]