



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

CRIMINAL APPLICATION (ABA) NO. 60/2024

Smt. Hirabai Nandlal Sharma 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

Mr. K.P. Mahalle, counsel for the applicant.

Mr. N.R. Rode, APP for the non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 07/02/2024.

1. Apprehending arrest at the hands of police, in connection with Crime No. 1379/2023 registered with Police Station Pandharkawada, District Yavatmal for the offence punishable under Section 326 of Indian Penal Code, 1860. The present applicant approached this Court for grant of pre-arrest bail.

2. Learned counsel for the applicant submitted that there is property dispute pending between the present applicant and the informant and the false report lodged. The applicant is a 60 years old lady. The allegation *prima facie* appears to be false one. The custodial interrogation of the applicant is not required. She has already cooperated with the investigating agency, in view of that the ad-interim protection granted to her be confirmed.

3. Learned APP strongly opposed the application on the ground that the injured has sustained the grievous injury in the alleged incident. The custodial interrogation of

the present applicant is required and prays for rejection of the application.

4. After hearing learned counsel for the applicant and after going through the investigation papers as well as heard the submission of the learned APP, it reveals that the injured has sustained the injury in the nature contusion over the left lowing area and fracture of the left thumb and ulna. Now, the injured has already discharged from the hospital. The custodial interrogation of the present applicant is not required. She has already cooperated with the Investigating Agency, 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 arrest, in connection with Crime No. 1379/2023 registered with Police Station Pandharkawada, District Yavatmal for the offence punishable under Section 326 of Indian Penal Code, 1860, the applicant – **Smt Hirabai Nandalal Sharma**, shall be released on ad-interim anticipatory bail on executing P.R. bond in the sum of Rs. 25,000/- with one solvent surety in the like amount.
- c) The applicant shall attend the concerned Police Station as and when required for the investigation purpose.

- d) The applicant shall not directly or indirectly make any inducement, threat or promise to any persons who are acquainted with the facts of the present case.

The criminal application is disposed of.

[URMILA JOSHI-PHALKE, J.]