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34.aba.324.2024 & aba.313.2024

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

CRIMINAL APPLICATION (ABA) NO.324 OF 2024

Abhishek @ Atal Indrajeet Singh

Vs.

State of Maharashtra, Through Police Station Officer, Mazari
District Chandrapur

WITH

CRIMINAL APPLICATION (ABA) NO.313 OF 2024

Indrajeet Ramji Singh

Vs.

State of Maharashtra, Through Police Station Officer, Mazari
District Chandrapur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Rajnish Vyas, Advocate for applicants in both applications.
Ms. Trupti Udeshi, APP for respondent/State in both applications.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 27/06/2024

1. Apprehending the arrest at the hands of police in connection with Crime No.34/2024 registered with Police Station Mazari, District Chandrapur for the offences punishable under Sections 323, 324, 326, 452 read with Section 34 of the Indian Penal Code, the applicants approached this Court for grant of pre-arrest bail.

2. As per the accusation on the basis of report lodged by one Anubhav Bajendra Sharma alleging that he is residing in WCL quarter. On 08.04.2024 after night duty, he was resting at his

house and he has also called his friends. At that time, they were watching the Indian Premier League (IPL) match on the Television. At the relevant time, the applicants came and assaulted him as well as his friends.

3. Learned Counsel for the applicants submitted that on the upstairs quarter the informant is residing and on the ground floor the applicants along with their family were residing. On the day of incident the informant along with his friends is enjoying the liquor and using vulgar and abusive language, so also urinating from the gallery not only on the tin shed, but also in open space. Due to fear, wife of the applicant – Indrajeet Ramji Singh closed the windows and doors and after he came home, his wife disclosed to him, therefore applicant – Indrajeet Ramji Singh and his son namely Abhishek @ Atal Indrajeet Singh went at the house of the informant to request not to make noise, but there was a scuffle between them, as a result of which injuries were sustained to the informant and his friends. Learned Counsel submitted that as far as the custodial interrogation is concerned, which is not required. Now, the investigation is practically completed.

4. Learned APP though strongly opposed the application but submitted that as far as the part of investigation is concerned, which is over.

5. Having heard the learned Counsel for the applicants and learned APP for the State, perused the investigation papers, from which it reveals that in a sudden quarrel the alleged incident has taken place. Now, the weapons are already recovered, further custodial interrogation of the present applicants is not required, in view of that, the interim protection granted by order dated 09.05.2024 and 07.05.2024 to the present applicants deserves to be confirmed, on the condition that:

(i) Applicant **Abhishek @ Atal Indrajeet Singh** and applicant **Indrajeet Ramji Singh** shall execute a PR bond in the sum of Rs.25,000/- each with one solvent surety in the like amount.

(ii) The applicants shall attend the concerned Police Station as and when required for the investigation purpose.

(iii) The applicants shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

(URMILA JOSHI-PHALKE, J.)