



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

CRIMINAL APPLICATION (ABA) NO.371 OF 2024

Umesh s/o Cinkaji Nawle and another
Vs.

The State of Maharashtra, Through its Police Station Officer, Police Station,
Mehkar, District Buldhana

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

Court's or Judge's orders

Mr. Tejas Deshpande, Advocate for applicants.
Ms. Trupti Udeshi, APP for respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 20/06/2024

1. Apprehending the arrest at the hands of police in connection with Crime No.313/2024 registered with Police Station, Mehkar, District Buldhana for the offences punishable under Sections 326, 324, 452, 323, 504 and 506 read with Section 34 of the Indian Penal Code.

2. The accusation against the present applicants is on the basis of report lodged by Mr. Bhagwat Maroti Nawle. Learned Counsel for the applicants Mr. Deshpande submitted that due to the previous enmity there was a scuffle between the informant and the present applicants. The father of the applicants has lodged the FIR against the informant as well as the informant has also filed report against the present applicants. The applicant No.1 Umesh Nawale has also sustained the injury in

the said incident. Thus, during the free fight, both parties have sustained the injuries. As far as the custodial interrogation is concerned, which is not required. In view of that, applicants be protected by granting ad-interim anticipatory bail.

3. Learned APP strongly opposed the said application on the ground that during the investigation it reveals that four persons sustained the injuries in the said incident. The applicants came at the spot along with weapons in their hands and they have assaulted the informant as well as other family members. The specific role is attributed to the present applicants. Considering that the injured have sustained the grievous injuries and the weapons of the offences are to be recovered from the present applicants. Their custodial interrogation is required and prays for rejection of the application.

4. After hearing the learned Counsel for the applicant and learned APP for the State, perused the investigation papers. The statements of the witnesses disclosed that the present applicants were the aggressors and there was a scuffle between the two parties. In the said scuffle four persons have sustained the injuries. As far as the role of the present applicants is concerned, specific role is attributed to them that they have assaulted the informant and other family members by means of

iron rod. In the said incident one of the injured has sustained the grievous injuries.

5. Considering the overt act attributed to the present applicants, no case is made out for grant of anticipatory bail. In view of that, application deserves to be rejected. Accordingly, the application is rejected.

(URMILA JOSHI-PHALKE, J.)