



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

CRIMINAL APPLICATION (ABA) NO.465 OF 2024

Shravan Bedaji Khadse and others

Vs.

State of Maharashtra, Through Police Station Officer, Police Station,
Washim (Rural), District Washim

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

Court's or Judge's orders

Mr. B. T. Parwe, Advocate for applicants.

Mr. M. J. Khan, APP for respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 11/07/2024

1. Apprehending the arrest at the hands of police in connection with Crime No.246/2024 registered with Police Station Washim (Rural), District Washim for the offences punishable under Sections 143, 147, 148, 353, 332, 294, 504 and 506 read with Section 149 of the Indian Penal Code.

2. The applicants are apprehending arrest at the hands of police as crime is registered against them on the basis of report lodged by Ganesh Shriram Gangawane who is serving in the Maharashtra State Electricity Distribution Company Limited (M.S.E.D.C.) since 1998. On the day of incident, he was serving at Sub-Center, Rajgaon. As per the allegation in the report, he is the Machine Operator in Maharashtra State Electricity Distribution Company Limited, Washim at Rajgaon. On

28.05.2024 he was on duty since 4.00 p.m. to 8.00 a.m. On 28.05.2024 at about 9.00 p.m. applicant No.4 Datta Vishwanath Khandare resident of the same village Rajgaon along with the other applicants came at the Sub-Center at night and informed that the electricity connection is not available in his house as it is disconnected and asked him to connect the same. On that, the informant informed him that the Janmitra will connect the line and asked to contact him. That on saying about the Janmitra, the applicant No.4 Datta slapped him on his right cheek and abused him in filthy language. The other co-accused started assaulting him as well as the Security Guard namely Anil Dakhore. It is alleged that within ten minutes, the present applicant No.4 came along with the other 8 to 10 persons and assaulted the Security Guard by means of bricks and their tiffin were also thrown by the present applicants. On the basis of the said report, police have registered the against the present applicants.

3. Learned Counsel for the applicants submitted that as far as the allegation against the applicant No.3 is concerned, which is only to the extent of tearing of the registers. He submitted that considering the allegation against the present applicants, their custodial interrogation is not required and therefore, they be protected by granting anticipatory bail.

4. Learned APP strongly opposed the said application on the ground that the public servants are assaulted by the present applicants and the other co-accused on the reason that the electricity was disconnected at their house. The public servants are assaulted though the public servant informed them that the line will be reconnected by the Janamita, however the present applicants lost the control and assaulted the public servants by means of bricks due to which the Security Guard has sustained the injuries. He submitted that all the applicants had ransacked the public servants and also caused damage to the public property and therefore, their anticipatory deserves to be rejected.

5. After hearing the learned Counsel for the applicant and learned APP for the State and after going through the investigation papers it reveals that the applicant No.4 and the other accused approached to Rajgaon Sub-Center as electricity was disconnected. On communicating with the public servant-informant, the informant informed him that it will be reconnected only if they were asked to approach the concerned person, but the present applicants lost the control and assaulted the Security Guard as well as the informant by means of bricks as well as caused the damage by tearing the registers and also breaking the glass etc. Thus, it appears that the present applicants have taken law in their hands for the trifle reason and caused the damage to

the public property. Thus, considering the role of the present applicants who have assaulted the public servants by means of bricks, no case is made out for grant of anticipatory bail, in view of that the bail application deserves to be rejected. Accordingly, I proceed to pass following order:

The application is rejected.

(URMILA JOSHI-PHALKE, J.)