



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.463 OF 2024
(Vikram s/o Kisan Narote Vs. The State of Maharashtra and anr.)

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

Court's or Judge's Order

Mr. V.S. Wakale, Advocate for the applicant.
Mr. S.V. Narale, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- AUGUST 9, 2024

Apprehending the arrest at the hands of police in connection with Crime No.356/2023 registered with Police Station Dhad, District Buldhana for the offence punishable under Sections 143, 144, 147, 148, 307, 324 and 506 read with Section 149 of the Indian Penal Code, the applicant approached to this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of report lodged by Sandip Uttam Narote on an allegation that there is a previous dispute between him as well as the family of the accused, on that count he and the other family members were assaulted by the present applicant and other co-accused on 22.11.2023 at about 8:00 p.m. by using the iron rod. It is alleged that he as well as the other prosecution witnesses have sustained the injuries. On the basis of said report, police have registered the crime against the present applicant and the other co-accused.

3. Learned Counsel for the applicant submitted that as far as the injuries sustained by the prosecution witnesses and the informant is concerned are simple in nature. The incriminating weapon is already produced by the present applicant before the investigating agency. He has cooperated with the investigating agency. In view of that, merely for the interrogation purpose his custodial interrogation is not required.

4. Learned APP strongly opposed the said application on the ground that in furtherance of the common object of unlawful assembly the present applicant has assaulted the injured and other prosecution witnesses. In view of that the application deserves to be rejected.

5. I have heard learned Counsel for both the parties. Perused the investigation papers from which it reveals that during the scuffle the informant and other prosecution witnesses have sustained the injuries. As far as the recovery of the weapon is concerned the applicant has already produced the same as per the direction of this Court. Only for the interrogation purpose his custodial interrogation is not required. In view of that, the interim protection granted to the present applicant deserves to be confirmed.

6. Hence, the application is allowed. The interim protection granted to the present applicant vide order dated 16/07/2024 is hereby confirmed on the same terms and conditions.

7. The applicant shall attend the concerned police station as and when required for the investigation purpose and shall cooperate with the investigating agency, till filing of the charge-sheet.

8. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*