



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

CRIMINAL APPLICATION (BA) NO. 756 OF 2024

Sarvant Singh Satnam Singh Gill Vs 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. Saud Afsar, counsel for the applicant.

Mrs. Sneha Dhote, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 03/10/2024.

1. Applicant came to be arrested in connection with Crime No. 454/2024 registered with Police Station Jaripatka, Nagpur for the offence punishable under Sections 506(2), 364-A, 342, 324, 323, 147, 143, 148 read with Section 149 of the Indian Penal Code, 1860.

2. The crime is registered on the basis of a report lodged on 26/06/2024, on an allegation that on 24/06/2024 at about 12.00 noon, when he was present in his house, he received a call on his mobile, and the person who made the call has disclosed that he had committed the murder of Kalya, and his name is Ratan, and he also informed that he would send two persons, and accordingly, the two persons approached him and took him along with them. It is alleged that he was abducted by the said persons, and thereafter, the demand was made from him, and he was assaulted by means of a wooden stick and also detained in a room. On the basis of said report, police have registered the

crime against the present applicant as well as other co-accused.

3. Learned counsel for the applicant submitted that the name of the present applicant is not mentioned. There is no subsequent statement to show which role is played by the present applicant. Merely because he is identified during the identification parade, which is not sufficient to show his involvement in the alleged offence. Now investigation is completed and charge-sheet is filed, further incarceration of the applicant is not required, in view of that, he be released on bail.

4. Learned APP strongly opposed the said application on the ground that, during the investigation, the applicant was placed for the test identification parade, and during the test identification parade, he is identified by the informant, though the investigation is completed. Considering the role attributed to the present applicant, the bail application deserves to be rejected.

5. After hearing learned counsel for the applicant and learned APP for the State, perused the investigation papers, from which it reveals that the name of the present applicant is not mentioned in the FIR. During the investigation, various statements are recorded, but except the test identification parade, there is no other material to show that the applicant is involved in the above-mentioned crime. Considering the fact that, now investigation is completed and charge-sheet is filed, further incarceration of the present

applicant is not required, in view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order;

- a] The criminal application is allowed.
- b] The applicant- ***Sarvant Singh Satnam Singh Gill*** shall be released on bail, in connection with Crime No. 454/2024 registered with Police Station Jaripatka, Nagpur for the offence punishable under Sections 506(2), 364-A, 342, 324, 323, 147, 143, 148 read with Section 149 of the Indian Penal Code, 1860, on executing P.R. bond of Rs. 25,000/- with one solvent surety in the like amount.
- c] The applicant shall attend the Jaripatka Police Station once in a month on 5th of every month and investigating officer shall record his presence.
- d] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the present case.
- e] The applicant shall attend the proceedings before the trial Court without seeking any exemption unless there are exceptional circumstances.

The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]