



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

CRIMINAL APPLICATION (ABA) NO.544 OF 2023

Pravin s/o Gajanan Gayakwad and another

Vs.

State of Maharashtra, Through Police Station Officer, Police Station, Shirpur,
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. S. G. Deshpande, Advocate for applicants.
Mrs. M. A. Barabde, APP for respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 23/01/2024

1. Apprehending their arrest at the hands of police in connection with Crime No.197/2023 registered with Police Station Shirpur, District Washim for the offences punishable under Sections 307, 392, 384, 385 and 294 read with Section 34 of the Indian Penal Code, the applicants approached to this Court for grant of anticipatory bail.

2. The allegation against the present applicants is on the basis of report lodged by Sangmitra Satish Padghan on an allegation that there was a previous quarrel between the present applicants and the family members and the present applicants have snatched the golden chain which she was wearing. Learned Counsel for the applicant submitted that there was a previous quarrel between the parties and the present applicants

have lodged the FIR against her and her family members and to give counterblast to the said complaint, this false FIR is lodged. As far as the custodial interrogation is concerned, which is not required and therefore, ad-interim anticipatory bail granted in favour of the present applicant deserves to be confirmed.

3. The learned APP strongly opposed the application on the ground that allegations are serious in nature and custodial interrogation of the present applicants is required. She further submitted that the application deserves to be rejected, as the investigation is still in progress.

4. Having heard the learned Counsel for the applicants and learned APP for the State and after going through the investigation papers, it reveals that out of the previous dispute between the parties, two counter FIRs alleged to be lodged against each other. In another counter FIR, the applicants therein are already released on bail by this Court. It is further apparent that due to the scuffle between the parties, this counter FIR alleged to be lodged against each other. The investigation almost completed, custodial interrogation of the present applicants is not required. Considering the nature of the allegation, the interim anticipatory bail granted to the applicants, deserves to be confirmed. Accordingly, I proceed to pass following order.

ORDER

(i) In the event of their arrest, the applicant **No.(1) Pravin s/o Gajanan Gayakwad and No.(2) Smt. Mangalbai w/o Gajanan Gayakwad** be released on anticipatory bail in Crime No.197/2023 registered with Police Station, Shirpur, District Washim for the offences punishable under Sections 307, 392, 384, 385 and 294 read with Section 34 of the Indian Penal Code, on executing PR bond in the sum of Rs.25,000/- each with one solvent surety in the like amount.

(ii) The applicants shall attend 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 present case.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)