



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

CRIMINAL APPLICATION (BA) NO. 1054 OF 2024

Pranay s/o Parshuram Girsavle 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

Ms Punam Pisurde, counsel for applicant.

Mr. S.A. Ashirgade, Addl.PP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 22/11/2024.

1. The applicant came to be arrested on 18/09/2024, in connection with Crime No. 34/2024 registered with Police Station Lathi, Tah. Gondpipari, District Chandrapur for the offence punishable under sections 109, 115(2), 118(2), 189(2), 189(4), 190, 191 (3), 352 of the Bhartiya Nyaya Sanhita, 2023.

2. The crime is registered on the basis of a report lodged by informant Shri Nitun Nagesh Yengattiwar on an allegation that he is a resident of village Sakmur, Tq. Gondpipri and was working as Forest Labourer. He was acquainted with the present applicant and other co-accused as they were residents of adjacent village. On 17/09/2024, he had been to watch the Ganesh Immersion procession. At the relevant time, there was an altercation of words between the co-accused and him, and subsequent to the said incident, when he was present towards his house, the present applicant and other co-accused have assaulted him as well as other prosecution witnesses. On

the basis of said report, police have registered the crime against the present applicant.

3. Heard learned counsel for the applicant, who submitted that the investigation is now completed and charge-sheet is yet to be filed. As far as the medical certificates are concerned, which show that the injured have suffered a simple injury, and further incarceration of the present applicant is not required. In view of that, the applicant be released on bail.

4. Learned APP strongly opposed the said application on the ground that the statement of witnesses shows the involvement of the present applicant in the alleged offence. The intervenors were also assaulted by the present applicant and other co-accused. In view of that, the application deserves to be rejected.

5. After hearing both sides. On perusal of the investigation papers, it reveals that due to the hot altercation of the words between the informant and other co-accused, the alleged incident has taken place, and the said incident, not only the informant but the villagers who intervened in the quarrel, including the Police Patil as well as other co-accused. As far as the injury sustained by the injured are concerned, which are simple in nature. Now they are discharged from the hospital. There is no apprehension that they would suffer any repercussion due to the said incident. Considering now, the investigation is completed and charge-sheet is yet to be filed. In view of

that, the application deserves to be allowed by imposing certain conditions. Accordingly, I proceed to pass the following order.

- a] The criminal application is **allowed**.
- b] The applicant -Pranay s/o Parshuram Girsavle, shall be released on **bail**, in connection with Crime No. 34/2024 registered with Police Station Lathi, Tah. Gondpipari, District Chandrapur for the offence punishable under sections 109, 115(2), 118(2), 189(2), 189(4), 190, 191 (3), 352 of the Bhartiya Nyaya Sanhita, 2023, on executing P.R. Bond of Rs. 25,000/- with one solvent surety in the like amount.
- c] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the present case.
- d] The applicant shall attend the proceedings before the Sessions Court without seeking any exemption unless there are exceptional circumstances.

The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]