



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

CRIMINAL APPLICATION (ABA) NO.770 OF 2024

Yuvraj Shamrao Pusande and others

Vs.

State of Maharashtra, Through Police Station Officer, Police Station,
Digras, District Yavatmal

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

Court's or Judge's orders

Mr. R. J. Shinde, Counsel for the applicants.
Mr. Nitin Autkar, APP for non-applicant /State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 13/11/2024

1. The present application is for grant of anticipatory bail in connection with Crime No.398/2024 registered with Police Station, Digras, District Yavatmal for the offences punishable under Sections 506, 504, 324, 323 read with Section 34 of the Indian Penal Code.

2. The accusations against the applicants are that they have assaulted their relatives by iron rods and other deadly weapons, due to the dispute between the two families on account of the right of way to their respective fields.

3. Learned Counsel for the applicant submitted that as far as the incriminating weapons are concerned, which are already recovered. They

have attended the Police Station as per the direction of this Court, their custodial interrogation is not required. In view of that the interim protection granted to the present applicants deserves to be confirmed.

4. Learned APP strongly opposed the said application on the ground that considering that deadly weapons are used by the present applicants in the commission of the crime, their custodial interrogation is required. In view of that, the application deserves to be rejected.

5. After hearing both sides and on perusal of the entire investigation papers and considering the nature of the offence which indicates that the members of both groups have assaulted each other by using the weapons. The weapons are already recovered. The applicants have already attended the concerned Police Station and cooperated with the investigating agency, their custodial interrogation is not required. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

(i) The interim protection granted to the present applicants by order dated 01.11.2024 in connection with Crime No.398/2024 registered with Police Station, Digras, District Yavatmal is hereby confirmed.

(ii) The applicants shall attend the concerned Police Station once in a week on Monday between 10.00 a.m. to 1.00 p.m. till filing of the charge-sheet.

(iii) The applicants shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

6. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)