



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

CRIMINAL APPLICATION (ABA) NO. 798/2023

Sau Rani w/o Rahul Bhondve 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. Laique Hussain, counsel for the applicant.

Mrs. M.A.Barbde, APP for the non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 22/01/2024.

1. By this application, the applicant is seeking pre-arrest bail, in the event of her arrest, in connection with Crime No.628/2023, registered at Wathoda Police Station, District Nagpur for the offences punishable under Sections 143, 147, 307, 323 read with Section 149 of the Indian Penal Code, 1860.

2. Learned counsel for the applicant submitted that applicant is apprehending arrest at the hands of Police as crime is registered against her on the basis of report lodged by Prachi Rahul Kambdi, on an allegation that on 01/11/2023, when she was at home along with her family members, at the relevant time, she was called by her husband Rahul Kambdi, therefore, she went outside and saw that her husband is assaulted by Krishna Gujar, Shubham Gujar by stick and the iron pipe.

3. As far as the present applicant is concerned, only allegation against her is that, she hold the informant

and assaulted by fist and kick blows. He submitted that considering the allegations against the present applicant, her custodial interrogation is not required, as nothing is to be recovered from the applicant. Now, the investigation is almost completed. In view of that, the interim relief granted to the present applicant deserves to be confirmed.

4. The learned APP strongly opposed the present application on the ground that, all the accused including the present applicant in furtherance of their common object assaulted the injured persons, her custodial interrogation is required and prays for rejection of the present application.

5. Having heard learned counsel for the applicant and learned APP for the State. Perused the investigation papers. As far as the role of the present applicant is concerned which is only to the extent of assault by fist and kick blows. Admittedly nothing is to be recovered from the present applicant. In view of that, interim protection granted to the present applicant deserves to be confirmed. Accordingly, I proceed to pass following order:

- a. In the event of her arrest, in connection with Crime No.628/2023, registered at Wathoda Police Station, District Nagpur for the offences punishable under Sections 143, 147, 307, 323 read with Section 149 of the Indian Penal Code, 1860, applicant – Sau Rani w/o Rahul

Bhondve be released on anticipatory bail on furnishing P.R. bond in the sum of Rs.25,000/- with one surety in the like amount

- b. The applicant shall attend the concerned Police Station as and when required for the investigation purpose.
- c. The applicant shall not induce, threat or promise to any witness, who are acquainted with the fact of the present case.
- d. The applicant shall furnish his cell phone number(s) and address with address proof.
- e. The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]