



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR.**

**CRIMINAL APPLICATION BA NO. 735 OF 2024**

**GOPAL MADHUKARRAO PISE**

**VERSUS**

**THE STATE OF MAHARASHTRA THROUGH PSO PS LAKADGANJ DIST  
NAGPUR**

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

Court's or Judge's orders.

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Shri M. Vishwarupe, Advocate for applicant  
Adv. R.V. Sharma, (APP) for the State.

**CORAM : URMILA JOSHI-PHALKE, J.**  
**DATED : 27.09.2024**

1. The applicant came to be arrested on 25.12.2023 in connection with Crime No.708 of 2024 registered with Police Station, Lakadganj, Nagpur, for the offence punishable under Section 307 of Indian Penal Code and under Section 135 of the Maharashtra Police Act.

2. The crime is registered on the basis of the report lodged by Sachin Marotrao Itankar, who alleged that he has purchased the house of Sakuntalabai Bhikaram Pise and since then, the present applicant is quarreling with him and his family members. On 24.12.2023 at about 8.00 p.m., when he has to proceed to attend the marriage ceremony and therefore, he was standing on the road in front of his house, at the relevant time, the applicant came there by holding knife in his hand and gave repeated blows on his chest

and abdomen portion, due to which he sustained injuries. Thereafter, he was shifted to the hospital. On the basis of the said report, police have registered the crime against the present applicant. After completion of the investigation, the charge sheet is filed.

3. The learned counsel for the applicant submitted that due to previous enmities, the present applicant is implicated in the alleged incident. He submitted that the investigation is completed and the charge-sheet is filed as well as the trial is also commenced, further incarceration of the applicant is not required. In view of that, he be released on bail.

4. The learned APP strongly opposed the said application on the ground that considering the *prima facie* case, the present applicant has given repeated blows and the injury sustained by the injured, was sufficient to cause death, in the ordinary course of nature, if timely treatment was not given to him. Considering the same, the application deserves to be rejected.

5. After hearing the learned counsel for the applicant and the learned APP for the State, perused the investigation papers. The statement of the informant, who is injured witness as well as the eye witness, shows the involvement of the present applicant in the alleged crime. The injuries sustained by the injured are also of serious nature. Moreover, now the trial is already commenced. Considering the *prima facie* case against the present applicant and

considering the aspect that now the trial is already commenced, the application deserves to be rejected. Accordingly, the application is **rejected.**

**JUDGE**