



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

**CRIMINAL APPLICATION (ABA) NO. 27 OF 2024**

DAULAT S/O KISAN NAROTE AND ANOTHER

**Vrs.**

THE STATE OF MAHARASHTRA AND ANOTHER

**WITH**

**CRIMINAL APPLICATION (ABA) NO. 34 OF 2024**

NARMADA W/O VIKRAM NAROTE

**Vrs.**

THE STATE OF MAHARASHTRA AND ANOTHER

Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

Court's or Judge's Order

S/Shri C. R. Kulkarni, V. S. Wakale, Advocates for applicants.  
Ms. M. H. Deshmukh, A. P. P. for respondent-State.

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

**DATE : 15/02/2024.**

1. Apprehending the arrest at the hands of police in connection with Crime No.356/2023 registered under Sections 307, 324, 143, 144, 147, 148, 149 and 506 of the Indian Penal Code, the applicants namely; 1] Daulat s/o Kisan Narote, 2] Nitesh s/o Daulat Narote and 3] Narmada w/o Vikram Narote approached to this Court for grant of pre-arrest bail.

2. The accusation against the present applicants is on the basis of report lodged by Sandip Uttam Narote on an allegation that due to previous dispute, he as well as his family members are assaulted by the present applicants as well as other co-accused. The cross-complaints are registered against each other.

3. Learned counsel who appears through Video Conferencing submitted that as far as present applicants are concerned, general allegations are made. Their immediate custodial interrogation is not required and hence, they may be protected by granting anticipatory bail. He further submitted that the cross-complaint is also registered regarding the same incident. Thus, there was scuffle between two parties and in that scuffle, some persons are injured. He further submitted that the statements of the relevant witnesses are already recorded. The injured are already discharged from the hospital. In view of that, interim protection granted to the present applicants deserves to be confirmed.

4. Learned APP strongly opposed the application on the ground that custodial interrogation of the present applicants is required, as there is specific allegation against present applicants that they have assaulted by means of iron rod and sticks. The said iron rod and stick are yet to be recovered. The injured Sandip Narote has sustained grievous injury. In view of that, application deserves to be rejected.

5. Having heard learned counsel for the applicants and learned APP for the State, perused the recitals of the FIR. From the recitals of the FIR, it reveals that general allegations are made against the present applicants and co-accused that they have assaulted by means of stick. During investigation, the statement of injured Sandip Narote is recorded. As far as the statement

of Uttam is concerned, there is no reference regarding the name of the present applicants alleging that they have assaulted his son. The statement of Namdeo Narote is also recorded who has again assigned general allegation against the present applicants stating that along with other co-accused, they have assaulted the injured by means of sticks and iron rod. The other statements have attributed the general allegations against the present applicants. Considering the allegations against the present applicants and during investigation, they have already attended the police station and co-operated the Investigating Agency. Their custodial interrogation is not required. In view of that, the protection granted to them deserves to be confirmed. Accordingly, I proceed to pass following order :-

**ORDER**

i] Criminal Application (ABA) No.27/2024 and Criminal Application (ABA) No.34/2024 are allowed.

ii] In the event of arrest in connection with Crime No.356/2023 registered under Sections 307, 324, 143, 144, 147, 148, 149 and 506 of the Indian Penal Code, the applicants namely;  
**1] Daulat s/o Kisan Narote, 2] Nitesh s/o Daulat Narote and 3] Narmada w/o Vikram Narote** be released on anticipatory bail, on executing PR

bond of Rs.25,000/- each with one solvent surety in the like amount.

iii] The applicants shall attend the concerned Police Station as and when required and shall co-operate with the Investigating Agency.

iv] The applicants shall not induce, threat or promise to any witnesses, who are acquainted with the facts of the present case.

6. Both the applications are disposed of.

[URMILA JOSHI-PHALKE, J.]