



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

944 ANTICIPATORY BAIL APPLICATION NO. 428 OF 2024

RAM MADHUKAR KARALE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Bagul Dnyaneshwar Suresh

APP for Respondents/State : Mr. S.P. Sonpawale

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 05.02.2025

PER COURT :

1. Heard the learned counsel for the applicant and the learned APP for the respondents-State.
2. The applicant is apprehending arrest in connection with Crime No. 12/2024 dated 23.1.2024 registered with Songir Police Station, District Dhule for the offences punishable under sections 307, 504, 506 of I.P.C.
3. This Court by order dated 14.3.2024 has granted interim protection to the applicant and the applicant was directed to attend the police station. The learned counsel for the applicant submits that in pursuance of the order passed by this Court, the applicant has attended the police station and has cooperated with the investigation.
4. The case against the applicant is that the applicant had romantic relations with the informant. On 20.1.2024 the applicant had taken the informant and her daughter from Shirpur to Poicha via Surat road and when they returned from there to Nandurbar, the applicant was insisting the informant to marry with him. But the informant had refused the proposal of

marriage of the applicant. It is stated that the informant is the divorcee and the applicant has also applied for divorce. It is stated that as the informant refused to marry with the applicant, in anger the applicant had not permitted the informant for getting out of car. After some time when the informant stopped the car at Songir Phata, the informant got down from the car and called nearby persons for help. It is also stated that the applicant thereafter left that place and when he saw that the person gathered had moved away from the informant while the informant and her daughter were waiting for transport vehicle, the applicant returned from internal road from backside in his car and and has intentionally given dash to the informant and her daughter and caused injuries to them.

5. The learned counsel for the applicant submits that the story put forth by the prosecution is concocted one. The learned counsel submits that the F.I.R. is result of prior altercation between the applicant and the informant.

6. Today the learned APP has produced the injury certificate of the informant and her daughter which shows that simple injuries are sustained by them. Since the incident arises out of the earlier relations between the parties and the injuries sustained are simple one, prima facie the possibility of exaggeration of the alleged incident cannot be ruled out. The applicant has cooperated with the investigation and therefore, custodial interrogation of the applicant is not required.

7. In view of the above, the application is allowed and the interim protection granted on 14.3.2024 is confirmed on the following terms :

i] The applicant shall attend the police station as and when

required.

ii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

iii. The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

8. In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

9. It is also clarified that the observations made in this order are limited for the purpose of disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

10. The application stands disposed of.

[ARUN R. PEDNEKER, J.]

SSC/