HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.922 OF 2025

Prabhuling Pundlik Jamadar .. Applicant

Versus

The State of Maharashtra .. Respondent

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- Mr. Aniket Vagal a/w. Mr. Kunal N. Pednekar and Ms. Savvy Kolhekar, Advocates for Applicant.
- Ms. Mahalakshmi Ganapathy, APP for Respondent.

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CORAM : MILIND N. JADHAV, J.

DATE : MARCH 05, 2025

P.C.:

1. Heard Mr. Vagal, learned Advocate for Applicant and Ms. Ganapathy, learned APP for Respondent.

2. Mr. Vagal persuaded the Court to consider the role of Applicant in the present crime. Applicant is indicted under Section 302 of the Indian Penal Code, 1860 (for short '**IPC**') where death of victim has happened 6 days after date of incident in hospital. He would also persuade the Court to consider that occurrence of incident was not pre-mediated at all. He would submit that scuffle took place because Applicant and his brother had kept certain belongings on the land belonging to victim's mother to which the victim objected and he directed Applicant and his brother to remove the said material which led to the altercation and scuffle in which the Applicant and his brother assaulted the victim.

3. On the issue and role of assault Mr. Vagal would submit that according to witness statements that are recorded the principal assailant (brother of Applicant) has used the iron rod which has been recovered by the prosecution from him and in so far as Applicant is concerned role attributable to him is of inflicting fist and kick blows on the victim. The medical papers are crucial to ascertain the injuries.

4. The final report is awaited which is reserved till date. In order to consider the Application, prosecution is directed to obtain copy of the final report from the concerned hospital and place the same before Court on the next adjourned date.

5. Stand over to **07th April, 2025**.

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA HANUMANT SAWANT
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