



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

CRIMINAL APPLICATION (BA) NO. 156 OF 2025

Gopal @ Gopichand s/o Fulchand Teli 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

Mrs. Anuprita Mishrikotkar, counsel for applicant.

Mr. M.K.Pathan APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 03/03/2025.

1. The applicant came to be arrested on 24/04/2024 in connection with Crime No. 213/2024 registered with police station Channi, District Akola for the offence punishable under Sections 324, 326 and 307 of the Indian Penal Code, 1860 read with Section 92(b)(f) of the Rights of Persons with Disabilities Act, 2016.

2. Heard learned counsel for the applicant, who submitted that out of the domestic quarrel, the present applicant has assaulted his wife and two other witnesses. The quarrel appears to have started suddenly, on account of that injured wife wants to visit her parents place. She submitted that now the investigation is already completed, charge-sheet is already filed, the injured is also discharged from the hospital, and they are not under apprehension of death. Considering all these aspects, the applicant be released on bail, who is also deaf and dumb person.

3. The said application is strongly opposed by the State on the ground that, considering three persons have sustained the injuries in the said incident, the application deserves to be rejected.

4. On perusal of the entire investigation papers, it reveals that on account of the domestic violence, the wife and two other witnesses are assaulted by the present applicant. There is no dispute as to the fact that the wife has sustained grievous injuries. Now considering that she is discharged from the hospital and not under the apprehension of death and the investigation is completed, the application deserves to be allowed by imposing certain conditions. Accordingly, I proceed to pass the following order:

- a] The criminal application is allowed.
- b] The applicant- *Gopal @ Gopichand s/o Fulchand Teli*, shall be released on bail in connection with Crime No. 213/2024 registered with police station Channi, District Akola for the offence punishable under Sections 324, 326 and 307 of the Indian Penal Code, 1860 read with Section 92(b)(f) of the Rights of Persons with Disabilities Act, 2016, on executing P.R. bond of Rs. 25,000/- with one solvent surety in the like amount.

- c] The applicant shall not enter into the vicinity of Humbarwadi, Tah. Parshivani, District Akola till culmination of the trial.
 - d] The applicant shall attend the proceeding before the trial Court without seeking any exemption unless there are exceptional circumstances.
 - e] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.
 - f] The fees of the appointed counsel be quantified as per rule.
5. The criminal application is disposed of.

[URMILA JOSHI-PHALKE, J.]