



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

CRIMINAL APPLICATION (ABA) NO. 261 OF 2025

Palash s/o Mohanrao Kode 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

Mr. Nazim Qureshi, counsel for applicant.

Ms. T.H. Udeshi, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 05/05/2025.

1. Apprehending the arrest at the hands of police in connection with Crime No.107/2025 registered with Police Station, Rana Pratap Nagar, Nagpur for the offence Punishable under Sections 109, 115(2), 118(2) 3(5) 351(3), 352 of the Bharatiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of bail.

2. As per the allegations, on 17.03.2025, when the informant was sitting along with his friends, at that time the present applicant and other co-accused came there, and there was a hot exchange of words, and during altercation, he was allegedly assaulted by the co-accused. As far as the present applicant is concerned, his name is not mentioned in the FIR, he is arraigned as an accused, on the basis of the statement of the co-accused. He submitted that no specific role is attributed to the present applicant, therefore, his custodial interrogation is not

required, and therefore, he be protected by granting interim protection.

3. Per contra, learned APP strongly opposed the application and submitted that during the investigation, the involvement of the present applicant was revealed. The accused - Akash, hit the iron pipe on his nose, leg, and back, whereas Aashish Bhalla was assaulted by means of fist and kick blows.

She further submitted that considering in furtherance of their common intention, they caused the injuries to the injured, and therefore, his custodial interrogation is required. She further fairly submitted that the applicant has cooperated with the investigating agency.

4. After hearing both sides and on perusal of the recitals of the FIR and the investigation papers, it reveals that during investigation, the name of the present applicant is revealed, as he is involved in the said crime. Considering that he has already cooperated with the investigating agency. The applicant has already made him available to obtain his blood sample and the other samples. In view of that, his custodial interrogation is not required. Accordingly, I proceed to pass the following order.

ORDER

- a] The interim protection granted to the present applicant by order dated 17/04/2025 is hereby confirmed on condition that he shall attend the concerned Police Station once in a week on Wednesday between 10.00 a.m. to 1.00 p.m. and till filing of the charge-sheet and shall cooperate with the investigating agency.
 - b] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.
5. The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]