



**IN THE COURT OF SESSIONS AT DINDOSHI  
(BORIVALI DIVISION), GOREGAON, MUMBAI  
ANTICIPATORY BAIL APPLICATION NO.2014 OF 2022**

**IN**

**(C.R.No.293/2020 of Versova Police Station )**

Mr. Amol Kiran Kharat,	]	
Age 25 years, Occ : Service,	]	
R/at Sagar Kutir Sangh, J.P. Road,	]	
Near Amar Prem Building,	]	
Seven Bungalows, Andheri (W),	]	
Mumbai.	]	...Applicant

Versus

The State of Maharashtra,	]	
(At the instance of Versova Police Station.)	]	...Respondent

Ld. Adv. Archana Suple for the applicant.

Ld. APP Smt. Poornima Chauhan for the State/respondent.

**CORAM : SHRI A.R. QURESHI  
ADDITIONAL SESSIONS JUDGE,  
COURT ROOM NO.06.**

**DATE : 5<sup>th</sup> January, 2023.**

**ORAL ORDER**

1. Applicant namely "Amol Kiran Kharat " has moved this application u/sec. 438 of Cr.P.C. to release him on anticipatory bail in connection with Crime No.293/2020 for the offences punishable u/sec. 323, 324, 331 r/w. 34 of Indian Penal Code, registered with Versova Police station, Mumbai.

2. Read application. Heard argument of learned counsel for applicant Archana Suple and learned APP Smt. Poornima Chauhan for respondent/state at some length. Both the sides have submitted that chargesheet came to be filed in the Court of law and also case is committed to the Court of Sessions.

3. During the course of argument, Ld. Counsel for applicant submits that as per report Ex.2, chargesheet came to be filed in the Court of Law. Nothing remains about recovery and discovery and part of investigation. It is further submitted that first of all the offences under Sections 323, 324 of IPC were registered as per FIR. Thereafter, the offence under Section 331 of IPC is added and then filed chargesheet accordingly, the entire investigation is over, as the chargesheet is filed, hence, submit to allow the application to release the applicant on Anticipatory Bail.

3. Learned APP Poornima Chauhan strongly opposed and submitted to reject this application. She fairly submitted that the offence under Section 331 of IPC is triable by the Court of Sessions, then it is added in the chargesheet, which is filed in the Court of Law.

4. I have gone through the report of IO at Ex.2, which is say of the prosecution as considered by the Ld. APP. The FIR prima facie shows about offences under Sections 323, 324 r/w. 34 of IPC, then it is added as offence under Section 331 of IPC. Now prima facie, it appears that nothing remains about recovery and discovery and part of investigation. No custodial interrogation of applicant is required. In such circumstances, I have prima facie found that it is a fit case to grant this application under Section 438 of Cr.P.C., as I found no reasons to reject this application. Hence, I am inclined to allow this anticipatory bail application under Section 438 of Cr.P.C. Hence, I pass

following order.

**ORDER**

1. Anticipatory Bail Application No.2014 of 2023 u/sec.438 of Cr.P.C. as filed by the applicant **Amol Kiran Kharat**, in connection with Crime No.293 of 2020 for the offences punishable u/sec. 323, 324, 331 r/w. 34 of Indian Penal Code, registered with Versova Police Station, Mumbai is hereby allowed as follows :-
2. Applicant-**Amol Kiran Kharat**, shall be released on anticipatory bail on executing P.R. Bond and Surety Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) in the event of arrest on the following conditions.
  - i) Applicant shall not flee away from the justice.
  - ii) Applicant shall not leave India without prior permission of the court.
  - iii) Applicant shall furnish and produce his identity proof with full and correct permanent address with his mobile number, and/or change of residence or mobile details if any from time to time to the investigating officer.
3. Anticipatory Bail Application No.2014 of 2022 is disposed of accordingly.
4. Order pronounced in Open Court.
5. Proceeding closed.
6. Parties to act upon the copy of roznama duly authenticated by Court Sheristedar.

**Dt. 05/01/2023**

Dictated on : 05/01/2023  
Transcribed on : 05/01/2023  
Corrected on : 06/01/2023  
Signed on : 06/01/2023

**( A. R. Qureshi )**  
**Additional Sessions Judge,**  
**Borivali Div.,Dindoshi, Mumbai**

CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER”	
Uploaded on : 06/01/2023 at 05.30 p.m.	Name of the Stenographer P.S.Tare
Name of the Judge (with Court room no.)	HHJ A. R. Qureshi (C.R.No.6)
Date of Pronouncement of JUDGMENT/ORDER	05/01/2023
JUDGMENT/ORDER signed by P.O. on	06/01/2023
JUDGMENT/ORDER uploaded on	06/01/2023