

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE, NASHIK,**  
**AT – NASHIK.**

**(Presided over by Mr. M. H. Shaikh)**

**Criminal Bail Application No.319 of 2022**

**CNR No.MHNS010010492022**



**Gopal Vithal Dandekar**

Age : 30 years, Occ : Labour

R/o : Charanwadi, Shigve (Bahula),

Deolali Camp, Tal. & Dist. Nashik. .. Applicant/Accused.

**V/S**

State of Maharashtra

Through – PI, Deolali Camp

Police Station (C.R. No.I-17/2021) .. Respondent/State.

**Appearance :**

Ld. Adv. Smt. Uma Mundada for Applicant/Accused.

Ld. A.P.P. Smt. Sangle for Respondent/State.

Shri. S. S. Padvi, PSI (I.O.) present.

**ORDER BELOW EXH. No.1**

**(Delivered on 11<sup>th</sup> March, 2022)**

1. This is an application filed under Section 438 of Criminal Procedure Code for grant of pre-arrest bail in C. R. No.I-17/2021 registered with the respondent Deolali Camp Police Station for an offence punishable under Sections 307, 353, 323, 143, 147, 148, 149, 120 (B) of the Indian Penal Code and under Section 135 of the Maharashtra Police Act.

2. Perusal of the F.I.R. reflects that an incident occurred on 20.02.2021 at 10.20 p.m. near New Bus Stand. On that day, there was Shivaji Maharaj Jayanti and quarrel took place between one person of Charanwadi and one person of Sansrigaon, when the complainant on

duty. The other side will file complainant therefore, the applicant and other accused persons illegally gathered outside the Police Station and started throwing stones towards the complainant and the witnesses. One Shri Salunke, PC got hurt because of the said stone. They have obstructed the complainant from discharging his official duty, therefore the Crime came to be registered.

3. It is the case of the applicant that, he is falsely implicated in this case. Investigation is over. Charge-sheet is filed in the Court. There is no role attributed to the applicant. Applicant was not knowing that his name is in the F.I.R. Now, he got the knowledge. Therefore, he has filed present application. Applicant is ready to abide by the terms and conditions. Therefore, prayed to allow the application.

4. Respondent filed their say vide Exh.6 and strongly objected by saying that the offence alleged is serious in nature. Investigation is in progress as regards this applicant. Custodial interrogation of this applicant is necessary. Therefore, prayed to reject the application.

5. Heard Ld. Advocate for the applicant, Ld. A.P.P. for the State and the I.O.

6. Upon hearing and going through the material placed on record, what can be gathered is that the incident is of February-2021. The main accused and other accused persons came to be arrested and enlarged on bail. Charge-sheet is filed in the Court against them. The said applicant was absconding. It is argued that the applicant was not knowing about the said case. I.O. submitted to the query of the Court that, nothing is to be recovered and discovered at the instance of applicant. He requires to interrogate him. Therefore, this Court finds

that, by imposing conditions that can be taken care. In the result, the application succeeds. Hence, the Order.

**ORDER**

1. Criminal Bail Application No.319/2022 is allowed.
2. In the event of arrest Applicant Gopal Vitthal Dandekar be released on bail on his executing a personal bond of Rs.15,000/- with one solvent surety in like amount to the satisfaction of the I.O.
3. Applicant to appear before the I.O. at the respondent Police Station on every Monday between 11.00 a.m. to 01.00 p. m. till filing of Charge-sheet and co-operate the I.O. in the investigation.
4. Applicant not commit similar offence in future.
5. In above terms, the Criminal Bail Application No.319/2022 is disposed off accordingly.

Place : Nashik.  
Date : 11/03/2022

**(M. H. Shaikh)**  
Additional Sessions Judge, Nashik.