

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

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

Criminal Bail Application No.305 of 2022

CNR No.MHNS010009752022



Pavan Kumar Pandey ... Applicant/Accused

V/S

State of Maharashtra

Through – P.I. Ambad Police

Station, (F.I.R. No.91/2022) ... Respondent

Appearance : Ld. Adv. Shri. S.B.Varma for Applicant/Accused.
: Ld.APP Shri Sachin Gorwadkar for respondent.

ORDER BELOW EXH. 1
(Delivered on 9th March, 2022)

1. This is an application for pre-arrest bail U/sec.438 of Criminal Procedure Code,1973.

2. Crime stood registered bearing No.91/2022 with the respondent Ambad Police Station, Nashik U/sec.353, 504 and 506 of Indian Penal Code,1860 for an allegations that, the applicant had assaulted, abuse and obstructed the complainant from discharging his official duties.

3. It is the case of the complainant that, he is an innocent and falsely implicated in this case. He is the sub-ordinate employee of the

complainant and also a colleague. The Complainant was constantly harassing the applicant. The applicant is victim of office politics. Investigation is practically completed. Nothing is to be discovered and recovered at the instance of the applicant. Applicant is ready to abide by the terms and conditions. Therefore, prayed to allow the application.

4. Respondent filed their say vide Exh.5 and submitted that, the complainant appearing before Investigating Officer and gave further statement and stated that he does not wish to proceed against applicant for penal action and they will initiate departmental inquiry against the applicant. Therefore, in view of this the Investigating Officer submitted that, appropriate orders be passed.

5. Heard Ld. Advocate for applicant and Ld.APP for state. I have gone through the contents of the say. Upon hearing, what can be gathered is that, investigation is practically at the verge of completion. Nothing is to be discovered and recovered at the instance of the applicant, therefore by imposing certain conditions, application can be allowed.

6. At this juncture, Ld. Advocate for applicant submits that, applicant hails from Jaipur and because of the said incident, he is admitted in the hospital and he will be discharged at least after 8 to 15 days. Therefore, considering this aspect, this court proceeds to pass the following order.

ORDER

1. Bail Application No.305 of 2022 is allowed.
2. In the event of arrest, Applicant Pavan Kumar Pandey be

released on bail on his executing a personal bond of Rs.15,000/- with solvent surety in like amount to the satisfaction of the I.O.

3. Applicant to remain present before the I.O. at the respondent Police Station on 28.03.2022 between 11.00 a.m. to 01.00 p.m. and, thereafter as and when I.O. calls under prior written intimation.
4. Inform this order to the I.O.
5. In the above terms, Criminal Bail Application No.305/2022 stands disposed off accordingly.

Place : Nashik.

Date : 09/03/2022

(M. H. Shaikh)

Additional Sessions Judge, Nashik.