

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD.  
CRIMINAL APPELLATE JURISDICTION.

**Criminal Application No.5693 Of 2013.**

**Sharad Madhavrao Zade & Ors.**                 **:: Applicants.**

## Versus

The State of Maharashtra & Ors.                    ::     Respondents.

## Appearance =>

Mr. G.G. Suryawanshi, Advocate for the Applicants.  
Mr. S.B. Pulkundwar, A.P.P. for the State of Maharashtra.

**CORAM : RAVINDRA V. GHUGE**  
**(VACATION JUDGE)**

**DATE : 31<sup>st</sup> OCTOBER, 2013.**

**Per Court :-**

Heard Mr. Suryawanshi, learned counsel for the applicants. Apprehending arrest in the light of registration of CR No. I 52 Of 2013 registered on 22<sup>nd</sup> September, 2013 with Basamba Police Station, Hingoli for the offences punishable U/Section 307, 147, 147, 148, 149, 341, 120(b), 427 of I.P.Code and U/Section 135 of Bombay Police Act, this application has been preferred.

(2) Contention is that the First Information Report is vague and ambiguous and does not clearly spell out any offence having been committed by the accused. It is further contended that the applicants have been unnecessarily implicated in the said crime.

(3) The learned APP for the State vehemently opposed this application. He submits that these two applicants, were main accused in the crime and at the instance of these two applicants, other accused came to the village by a Indica Car and assaulted the informant and others. It is further stated that four crimes involving the applicants have been registered and three of them are registered in the year 2012 itself. All the Crimes are registered for grave offences and applicant No.1 is habitual offender. The weapons used in the crime are yet to be seized and are necessary for proper and further investigation. Both the applicants have criminal antecedents and have taken active part in three incidents of beating on the very same day. In the light of the above, I am not inclined to consider this application favourably. This Criminal Application is, therefore, rejected.

**RAVINDRA V.GHUGE**  
**VACATION JUDGE**