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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1970 OF 2023

Anil Baban Jadhav and Others

APPLICANTS

VERSUS

The State of Maharashtra and Another

RESPONDENTS

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Mr. Narayan B. Narwade, Advocate for the applicants

Mr. N. B. Patil, APP for respondent - State

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 7th FEBRUARY, 2024

ORDER :

1. Applicants apprehend arrest in Crime No.909 of 2023 registered with Kotwali Police Station, District - Ahmednagar for offence punishable under section 327, 427, 542, 143, 147, 504, 506 of the Indian Penal Code.

2. FIR is lodged by Pandurang Nana Sathe alleging that his wife resides at Pune with his son and she has love relationship with one Deepak Jadhav. His wife has filed divorce proceedings against him in Family Court. Informant had taken hand loan of Rs.2,50,000/- from Deepak Jadhav. Said amount was demanded back by Deepak Jadhav. Since informant had no money, he had given him gold necklace weighing 7.5 tola and asked him to

pledge it and take the money. Accordingly, Deepak Jadhav had pledged the ornament with Urban Bank, Ahmednagar and obtained an amount of Rs.2,50,000/-. On 12th June, 2023, informant suffered accident and, therefore, he obtained hand loan of Rs.25,000/- from Deepak. On 5th August, 2023, in the morning at about 9.00 a.m., informant was at his house at that time, relatives of Deepak namely Sagar Thonge, Siddheshwar Jadhav, Ganesh Jadhav and Anil Jadhav came to his house and threatened him that he should give understanding to his wife and should not take divorce from her otherwise they will kill him. They again came back at 2.00 p.m. and assaulted him with fists blows. At about 8.00 p.m. they again came along with wooden batten and assaulted him with wooden batten and fists and kick blows. On 10th August, 2023, at about 2.00 p.m. Anil Jadhav made him a phone call and told him that they are willing to settle the dispute. At about 10.00 p.m. in the night, Siddheshwar, Ganesh, Anil and Deepak came to his house and it was decided that informant would return Rs.3,50,000/- to them and he would look after his wife. Thereafter, they went away and returned after half an hour along with accused Sagar. Sagar was holding wooden batten and he assaulted informant with the same on his thighs. They demanded Rs.9,00,000/-from him and damaged CCTV monitor , CCTV DVR and took away his cell

phone. They also damaged right side mirror of his Tata car.

3. Heard learned advocate for applicants and learned APP for the State. Perused the papers of investigation.

4. Vague and general allegations are levelled against applicants Anil, Siddheshwar and Ganesh. Main allegations are against Sagar. Charge sheet is filed in the present case. Accused Deepak Jadhav was arrested and he is presently in Magisterial Custody. Nothing is to be recovered from applicants. Applicants were granted interim protection and they have co-operated in the investigation. Custodial detention of applicants is, therefore, not necessary.

5. Application is, therefore allowed by confirming the protection granted to them on 4th December, 2023, on the same terms and conditions.

[NITIN B. SURYAWANSHI]
JUDGE