

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 2425 OF 2024

Vishal Abhiman Landage

...Applicant

Versus

The State of Maharashtra

...Respondent

- Mr. Abdul Kader, for Applicant.
- Mr. Bapu V. Holambe Patil, APP for Respondent.
- Mr. Vishal Gorakh Choudhari, Police Constable, Indapur Police Station.

CORAM : MANISH PITALE, J.

DATE : 11th SEPTEMBER, 2024.

P. C. :

1. Heard learned counsel for the applicant and the learned APP for the respondent – State.

2. The applicant has approached the Court as he apprehends arrest in connection with First Information Report No.0571 of 2024 dated 16.07.2024, registered at Police Station Indapur, District Pune, for offences under Sections 74 and 119(1) of the Bharatiya Nyaya Sanhita, 2023 (BNS).

3. The allegation made by the informant is that when she went to the office of the Gram Panchayat where the applicant is working as a Peon, he allegedly asked her as to whether she remembers him after having gone to Pune and thereafter, he allegedly touched the hand of the informant. Thereafter, the applicant is alleged to have grabbed at the informant due to

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which *Mangalsutra* of the informant was broken and it was allegedly taken away by the applicant.

4. The learned counsel for the applicant submits that this is a case of cross FIRs and the present FIR is an afterthought and a counterblast to an earlier FIR dated 15.07.2024, registered at the behest of the applicant. It is the allegation of the applicant that the informant and her family members had approached the office of Gram Panchayat for some work and at that stage they had assaulted the applicant resulting in injuries, due to which FIR came to be registered for various offences, including offence pertaining to causing grievous hurt by means of dangerous weapons. It is submitted that the applicant is ready to cooperate with the investigation and therefore, this Court may allow the application.

5. On the other hand, learned APP submits that the statement of the informant does make out the ingredients of the offences registered against the applicant. Hence, this Court may pass appropriate orders.

6. Although in the present case the informant is a woman and the offences registered against the applicant appear to be serious in nature, the background of the case cannot be ignored. At Exhibit "B" is placed FIR No.0570 of 2024 dated 15.07.2024, wherein the applicant is the informant. He has described in detail as to the manner in which he was assaulted by the

informant in the present case and her family members, when they visited the Gram Panchayat office. There is a specific allegation of assault by iron rod, as a result of which serious offences have been registered against the informant herein and her family members, including offence pertaining to causing grievous hurt by means of dangerous weapons.

7. Considering the said document, there is substance in the contention of the applicant that the present FIR appears to be an afterthought and a counterblast. *Prima facie*, it appears that after the incident of violence inflicted upon the applicant occurred in the office of the Gram Panchayat and FIR pertaining to serious offences was registered on 15.07.2024, against the informant herein and her family members. Subsequently, the present FIR has been registered, wherein the informant has made allegations to the effect that the applicant outraged her modesty. Considering the aforementioned facts, this Court is inclined to allow the present application, as the applicant undertakes to cooperate with the investigation.

8. In view of the above, the application is allowed in the following terms :

- (A) In the event the applicant is arrested in connection with FIR No.0571 of 2024 dated 16.07.2024, registered at Police Station Indapur, District Pune, he shall be released

on bail on furnishing PR Bond of ₹ 25,000/- with one or two sureties in the like amount, to the satisfaction of the Trial Court.

(B) The applicant shall remain present before the Investigating Officer on 13.09.2024, between 10:00 a.m. and 12:00 noon and thereafter as and when called by the Investigating Officer. He shall cooperate with the investigation.

(C) The applicant shall not influence the informant, witnesses or any person concerned with the case and he shall not tamper with the evidence.

9. Needless to say, violation of any of the aforesaid conditions would make the applicant liable to face proceedings for cancellation of anticipatory bail. It is also clarified that the observations made in this order are limited to the question of grant of anticipatory bail to the applicant in the present application and that the Trial Court shall proceed further, without being influenced by the observations made in this order.

10. The application is disposed of.

(MANISH PITALE, J.)