



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.

53 ANTICIPATORY BAIL APPLICATION NO. 940 OF 2025

Mukesh Alias Sonu Ramesh Kalwale And Another

VERSUS

The State Of Maharashtra And Another

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Mr. P. P. More - Advocate for Applicant

Mr. N. D. Batule - APP for State

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CORAM : NEERAJ P DHOTE, J.

DATED : 15TH SEPTEMBER, 2025

PER COURT : -

1. Heard the learned Advocate for the Applicants and the learned APP for the State. Perused the papers on record.

2. Since the Applicants are apprehending arrest at the hands of CIDCO Police in connection with Crime No. 0231 of 2025, registered with CIDCO Police Station, District Chhatrapati Sambhajnagar, for offences punishable under Sections 352, 351(2), 3(5), 118(2) and 115(2) of the Bharatiya Nyaya Sanhita, 2023, they have approached this Court by way of the present Application for Anticipatory Bail.

3. It is the case of the Prosecution that, the Applicants along with Co-accused assaulted the Informant by stick and bat. In the said assault, the Informant suffered one grave injury. There is earlier FIR

bearing Crime No. 0143 of 2025 registered against the Informant herein and others with Jawahar Nagar Police Station, District Chhatrapati Sambhajanagar, for offences punishable under Sections 352, 351(2), 3(5), 118(1) and 115(2) of the Bharatiya Nyaya Sanhita, 2023, for the same incident. There appears to be some dispute between both the parties. This Court had protected the Applicants herein by interim order dated 8th July, 2025. The relevant observations from the said interim order are reproduced below.

“3. Heard the learned Advocates for the parties and with their assistance perused the record. Prima facie, from perusal of the FIR, the role attributed to the Applicant No. 2 is alleged assault by using a stick on the back of the Informant. As far as Applicant No. 1 is concerned, he has allegedly used a bat to inflict injuries in the Informant. As far as the injury certificate tendered by the learned APP with regard to one Uma Ramesh Kalwale the wife of the witness, is concerned, the nature of injury is simple. There is another injury certificate where the injured Tarabai i.e. the Informant has suffered grievous injury. The necessary details/facts regarding the grievous injuries inflicted on the Informant and/or the witnesses and the role of these Applicants in that regard in the context of alleged offences under the sections invoked in the FIR needs to be ascertained. Besides Section 118(2), offences under most other sections are bailable. The learned APP would take instructions in this regard. It also appears that there is a cross-complaint leading to a cross-FIR which is dated 22 April 2025 at 20.30 hours i.e. about one hour the incident reported in the present/said FIR. It appears to be some family dispute between the persons/accused are concerned who are common to both these FIRs. The present Applicants have no criminal antecedents.”

4. According to the learned APP, the above are the aspects in the matter. Considering these aspects, I am inclined to confirm the above referred interim order. Hence, the following order:

ORDER

- [i] The interim order dated 8th July, 2025, passed in the present Application, is confirmed.
- [ii] Application stands disposed off.

[NEERAJ P. DHOTE]
JUDGE

SG Punde