



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

967 ANTICIPATORY BAIL APPLICATION NO.1384 OF 2025

Paras Zumbarlal Lalwani

..Applicant

VERSUS

The State of Maharashtra And Another

..Respondents

.....

Shri. Rajendrraa Deshmukkh, Senior Advocate, i/by.
Shri. Ramankumar Gopal Dodiya, Advocate for the Applicant
Shri. A. B. Girase, Public Prosecutor for the Respondent – State.
Shri. Vinod Patil, Advocate for the Informant

.....

CORAM : NEERAJ P. DHOTE, J.

Dated : SEPTEMBER 25, 2025

PER COURT :-

. Since the Applicant is apprehending arrest in connection with Crime No.0564 of 2025 registered with Shrirampur City Police Station, Dist. Ahilyanagar for the offence punishable under Sections 109, 49, 351(2), 351(3) r/w. 3(5) of the Bharatiya Nyaya Sanhita, 2023, this Application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') for Anticipatory Bail.

2. The case of the Prosecution, in brief, is that, on 10.06.2025 while the Informant was traveling by rickshaw on Gautam Nagar Road, in order to prevent her from attending the case scheduled before this Court on 11.06.2025, the Accused persons assaulted her at the instance of the Applicant and threatened that, if she attends the Court on the next day,

she would be killed. Since the Informant sustained injuries, she was admitted to the hospital for medical treatment. On the Report lodged by the Informant, the aforesaid Crime came to be registered.

3. Heard Shri. Rajendrraa Deshmukkh, the learned Senior Advocate for the Applicant, Shri. A. B. Girase, the learned Public Prosecutor for the State and Shri. Vinod Patil, the learned Advocate for the Informant at length. Perused the papers on record.

4. The learned Senior Advocate took me through the papers on record and submitted that, the Informant is the Daughter-in-law of the Applicant. Prior to the present FIR, the Sister-in-law of the Applicant had lodged one Report against the Informant with the Jamner Police Station *vide* C.R. No.0041/2021 for the offence punishable under Sections 420, 406, 506 r/w. Sec. 34 of the Indian Penal Code (for short, 'I.P.C.'). The Informant on earlier occasion had lodged one FIR, upon which Crime No.0068/2021 came to be registered with Jamner Police Station for the offences punishable under Section 354A of the IPC, Section 11 of the Prohibition of Child Marriage Act, 2006, and Section 12 of the Protection of Children from Sexual Offences Act, 2012 against the Applicant and his entire family. The said FIR was lodged after a period of two (2) months from the date of the alleged incident. In the said Crime, the Police had filed 'B' Summary Report that, it was the false

Report. The said 'B' Summary Report was accepted by the concerned Court. There was one more FIR bearing No.0403/2021 registered with Lasalgaon Police Station, Dist. Nashik for the offences punishable under Sections 384, 506 r/w. Sec. 34 of the I.P.C. by Brother of the Applicant against the Mother of the First Informant in this case. He submits that, the present FIR is nothing but a concocted story, vague and general allegations are levelled against the Applicant and there is no evidence to show that, the Applicant was anyway connected with the said incident. It is filed with an intention to falsely implicate the Applicant and malign his social image and reputation. The Applicant was protected for some period by the learned Sessions Court and the said protection was continued for some period before this Court and as the Charge-sheet has been submitted, the custodial interrogation of the Applicant is not necessary. The learned Senior Advocate further submitted that, the Applicant is ready to abide any conditions imposed by the Court and therefore, the Application be allowed.

5. The learned Public Prosecutor took me through the Charge-sheet to contend that it is not only the Informant's statement in respect of the incident, the same is well corroborated by the independent persons, from which, it is clear that, the said incident took place at the instance of the Applicant. The Applicant though claims to be the person of repute, is having criminal background, as five (5) cases are registered

against him with the concerned Police Station. He further submitted that, the previous Crimes referred by the learned Senior Advocate for the Applicant, show as to what type of the person Applicant is. As regards 'B' Summery, he submitted that, the concerned Court of Magistrate had referred the Report submitted by the Investigating Officer to the learned Additional Sessions Judge for determination of the Informant's age and the learned Sessions Court accepted the 'B' summary by exceeding its jurisdiction and the said decision of accepting the 'B' Summary Report has been challenged by the State and the Informant before this Court in independent proceedings. The papers on record go to show that, for extraneous reasons, the Informant was made to marry with the Applicant's son. He further submitted that, since 19.07.2025 there was no Interim Protection to the Applicant and he is absconding and, therefore, though the Charge-sheet is filed, he does not deserve the protection by this Court and the Application be rejected.

6. The learned Advocate for the Informant submits that, the Sessions Court has exceeded it's power by accepting the 'B' Summery Report and such proceedings are under challenge before this Court in independent proceedings. The copy of Court proceedings of this Court, where said proceedings are filed, was to come up for hearing on 11.06.2025 and the incident is dated 10.06.2025 which shows that, the incident is real. He further submitted that, he adopts the submissions made by the

learned Public Prosecutor and the Application be rejected.

7. I have considered the above submissions advanced by both the sides and perused the papers on record. It is clear that, there are cases filed by both the sides against each other. There is no dispute that, the Informant had married to the Applicant's son. Now, according to the learned Senior Advocate for the Applicant, Divorce has taken place between them. In the present FIR, the assault is attributed to the FIR named Accused and it is the case of the Prosecution that the said assault was at the instance of the Applicant. Even accepting that, the said version of the Informant is corroborated by the independent witnesses, it would be for the learned Trial Court to appreciate the evidence on record in respect of involvement of the Applicant. As regards the earlier Crime, in which the said 'B' Summery was filed, which came to be accepted, is the aspect to be examined by the concerned Court before which the challenge is pending. Undisputedly, in the case in hand, the Charge-sheet is filed before the concerned Court. It is also not in dispute that, while the Applicant was protected, he had attended the concerned Police Station four (4) times pursuant to the conditions imposed by the learned Sessions Court. Admittedly, there is no question of any recovery at the hands of the Applicant. Considering all these aspects merely because there are five (5) previous crimes, which includes one lodged by the Informant, cannot be the sole reason to

reject the Application. In the backdrop of all these aspects, in my view, the Application needs to be allowed by imposing appropriate conditions.

Hence, the following order :

ORDER

- i) The Application is allowed.
- ii) In the event of arrest of the Applicant, namely, Paras Zumbarlal Lalwani in connection with Crime No.0564 of 2025 registered with Shrirampur City Police Station, Dist. Ahilyanagar for the offence punishable under Sections 109, 49, 351(2), 351(3) r/w. 3(5) of the Bharatiya Nyaya Sanhita, 2023, he be released on bail on executing P.B. of Rs.30,000/- (Rupees Thirty Thousand) with one or two surety/ sureties in the like amount.
- iii) The Applicant shall not tamper with the Prosecution evidence in any manner.
- iv) The Applicant shall attend the concerned Police Station as and when called.
- v) The Application stands disposed off.

(NEERAJ P. DHOTE, J.)

GGP