



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

958 ANTICIPATORY BAIL APPLN. NO. 1618 OF 2024

1] ANAND @ VAIBHAV BHAGWANRAO SALVE

2] ABHIJIT BHAGWANTRAO SALVE

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicants : Mr.M.A.Dond
APP for Respondent-State : Mr.Ruchir S. Wani

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 05.03.2025

P.C. :

1] Heard learned counsel for the applicants and the learned APP for the respondent-State.

2] The applicants are apprehending arrest in connection with Crime No. I-0363/2024, registered at Chandanjhira Police Station, District Jalna, for the offence punishable under Sections 351 (3), 351 (2), 3 (5), 191 (3), 191 (2), 190, 189 (2), 119, 118 (1) of the Bhartiya Nyaya Sanhita.

3] This Court, by order dated 30.09.2024, has granted interim protection in favour of the applicants for

the submissions and reasons stated in 1 and 2, as noted below :

1. Learned Counsel for the Applicants submits that admittedly there are disputes between the Applicants and informs which is reflected from the Special Civil Suit No. 32/2016 filed by the Applicants against him. It is submitted that even prior to filing of the FIR, Applicants have raised apprehension by letter dated 16.01.2018 addressed to the concerned police station wherein it is also stated that informant is causing harassment to them. He drew attention of the Court to order passed by the learned Additional Sessions Judge, Jalna rejecting application for anticipatory bail, wherein according to him there is no observation made with regard to the injuries being caused to the informant.

2. Having regard to the aforesaid facts, this Court prima facie finds substance in the contention of the Applicants that this could be a case of false implication..

4] The learned counsel for the applicants submits that in pursuance of the aforesaid order, the applicants have attended the concerned police station and have co-operated with the investigation. He further submits that there is prior dispute between the parties.

5] The learned APP submits that there are antecedents against the present applicants and that he has produced injury certificate which shows that the injuries caused to the informant are simple in nature. It is also stated that the applicants have surrendered car, so also, the stump is also seized from the spot by the police.

6] Considering that the applicants have co-operated with the investigation and the injuries caused to the informant are simple in nature, so also, there is no further investigation to be conducted qua the present applicants, in view of the same, the interim protection granted by order dated 30.09.2024 stands confirmed, in the following terms :

i] The applicants shall attend the concerned police station as and when required by the investigating officer.

ii] The applicants shall not tamper with the evidence of the prosecution in any manner. They shall not influence the informant, witnesses and other persons concerned with the case.

iii] The applicants shall co-operate with the investigation and also in the proceedings before the trial Court.

iv] The applicants shall not involve similar type of offence. If the applicants are found in similar type of offences, the anticipatory bail granted in favour of the applicants be vacated.

7] In the event, the applicants violate any of the

conditions specified in this order, it shall be liable to be cancelled.

8] It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

9] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC