



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

950 CRIMINAL APPEAL NO. 729 OF 2025

AJAY DIGAMBAR AMBEKAR

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. Rohan R. Bidave h/f. Mr. Rahul Pralhadrao Mote, Advocate for Appellant.

Mr. G. O. Wattamwar, APP for Respondent Nos.1 and 2-State.

Ms. Anagha Pedgaonkar, Advocate for Respondent No.3.

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CORAM : SUSHIL M. GHODESWAR, J.

DATE : 14th OCTOBER, 2025

PC.:-

1. Heard Mr. Rahul Mote, learned Advocate for the Appellant, Mr. G. O. Wattamwar, learned APP for Respondent Nos.1 and 2-State and Ms. Anagha Pedgaonkar, learned Advocate for Respondent No.3.

2. The Appellant is seeking bail as he was arrested in connection with FIR No.200 of 2025 dated 2nd June 2025, registered with Pachod Police Station, District Ch. Sambhajinagar, for the offences punishable under Sections 3(2)(va), 3(1)(s), 3(1)(r) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and under Sections 352, 351(3), 3(5), 118(2) and 115(2) of Bharatiya Nyaya Sanhita, 2023.

3. According to the Informant, on 1st June 2025 at about 10:00

p.m., when he was standing along with his brother Ganesh, at that time, Accused-persons came there by referring to his caste and started to abuse them. The Appellant is also alleged to have abused the Informant on his parents. Thereafter, the Appellant brought one iron rod and assaulted him on his head. On the basis of the said report, police have registered Crime No. 200 of 2025 dated 2nd June 2025.

4. In view of the aforesaid registration of crime, the investigation was set in motion. The investigating officer has conducted the spot panchanama and the weapon i.e. iron rod came to be seized from the spot. The victims were referred for medical examination. The injury report of the victim came to be obtained. The Accused-Ajay came to be arrested on 2nd June 2025. The investigating officer also recorded the said statement of eye witnesses and other material witnesses after completing the investigation. The investigating officer has filed the charge-sheet.

5. Learned Advocate for the Appellant submits that the Appellant has been languishing in jail since 2nd June 2025. As the investigation is already over, no purpose would be served by keeping him behind bar. The injury report of the victims discloses simple injuries on the persons of the victims. Therefore, he is seeking regular bail on the aforesaid ground.

6. Per contra, Mr. G. O. Wattamwar, learned APP for Respondent Nos.1 and 2-State and Ms. Anagha Pedgaonkar, learned Advocate for Respondent No.3 strongly opposed the instant appeal. According to them, the Appellant is involved in serious crime. Due to the assault, the victims were referred to the medical examination and have sustained injuries.

7. Ms. Anagha Pedgaonkar, learned Advocate for Respondent No.3 has also invited my attention to the order of the Sessions Court while rejecting the application of the Appellant, stating therein that the Appellant is already having serious offences registered against him.

8. Learned Advocate for the Appellant on this reply submits that the said crime was registered against him when he was a juvenile.

9. Admittedly, the Appellant was arrested in connection with the assault, and the injured persons have sustained simple injuries, as reflected in the medical certificate. It is also noted that the Appellant is facing previous criminal prosecutions, in which he has been granted regular bail. As the investigation in the present case is already complete, no purpose would be served by keeping the Appellant behind bars. The trial in the instant case is likely to take considerable time to conclude, and continued incarceration of the Appellant would not serve any fruitful purpose. In view of these circumstances, the

Appellant deserves to be released on bail..

10. In view of the above, the appeal is allowed in the following terms :

ORDER

- a] The Appellant shall be released on bail in connection with FIR No.200 of 2025 dated 2nd June 2025, registered with Pachod Police Station, District Ch. Sambhajinagar , on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.
- b] The Appellant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.
- c] The Appellant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.
- d] The Appellant, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.

11. Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the Appellant shall be liable to be cancelled. It is also clarified that the observations made in this order

are limited to the disposal of the present appeal. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

12. The appeal stands disposed of.

13. By order dated 8th October 2025, passed by this Court. Learned Advocate Ms. Anagha Pedgaonkar was appointed by this Court to represent the cause of Respondent No.3 in this matter. However, her fees remained to be quantified.

14. In view of the above, the fees of Ms. Anagha Pedgaonkar, learned Advocate appointed for Respondent No.3 in this matter be paid through the High Court Legal Services Sub-committee, Aurangabad as per rules.

15. At this stage, Ms. Anagha Pedgaonkar, learned Advocate for Respondent No.3 raised a grievance that Informant is apprehensive and fearful of the fact that the Appellant is hardened criminal and after his release, he may pressure the witnesses and may cause danger to the life of the Informant.

16. In view of the aforesaid apprehension, it would be appropriate to impose certain conditions while releasing the Appellant on bail. Accordingly, the Appellant shall not enter the jurisdiction of

Pachod Police Station, District Chhatrapati Sambhajanagar, during the pendency of the trial, except for attending the proceedings before the concerned Court or as and when required by the Investigating Officer.

(SUSHIL M. GHODESWAR, J.)

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