



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

949 BAIL APPLICATION NO. 2169 OF 2025

VISHAL VILAS PUSE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for applicant : Mr. Suvidh Kulkarni
APP for the respondent – State : Ms. R.R. Tandale
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CORAM : SACHIN S. DESHMUKH, J.

DATE : 24 DECEMBER 2025

PER COURT :

The applicant has approached this Court seeking regular bail in connection with FIR bearing Crime No. 282 of 2025 dated 04.08.2025 registered with City Chowk Police Station, District – Chhatrapati Sambhajinagar for the offences punishable under section 109, 118(1), 115(2), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023, under section 128, 184 of the Motor Vehicles Act, 1988.

2. Complainant – Balram Deepak Jadhav, lodged a complaint that on 03.08.2025, after dropping his friend Sharik, when he and his friend Yash were talking to each other near town hall bridge at about 9.00 pm, the applicant and two unidentified persons arrived on a motorcycle and began verbally abusing complainant and Yash on account of previous dispute.

3. During altercation, Swaraj Sirsath allegedly issued a death threat to Yash, then started assaulting Yash. When the complainant intervened, Swaraj Sirsath took out a knife and pierced it in the jaw of Yash. As complainant moved to rescue Yash, applicant allegedly

assaulted him with knife in his left eye and thereafter, accused persons fled away from the scene.

4. Learned counsel for the applicant submits that the applicant is falsely implicated in the crime. The applicant has not assaulted on any vital part of the complainant. As such, the offences alleged against the applicant are not attracted. Both the injured are discharged from the hospital and there are no corresponding injuries sustained pursuant to alleged assault. Investigation is complete and chargesheet is filed. Thus, further incarceration of the applicant is not warranted.

5. Learned APP opposed the application, submitting that the offence is serious in nature. The applicant had inflicted the injury with an intent to cause grievous injuries to the complainant. There are statements of witnesses to that effect confirming the allegations in the FIR. Hence, prayed to reject the application.

6. Having heard the submissions of both sides and upon perusal of the material on record including the chargesheet indicates that the recovery at the instance of the applicant is complete. Moreover, the injured are discharged from the hospital and perusal of the injury certificate dated 11.08.2025 discloses that the injuries are simple in nature. Therefore, *prima facie*, it appears a case of exaggeration. In that view of the matter, case is made out warranting the exercise of the discretion in favour of the applicant.

7. The investigation is complete for all intent and purpose. Resultantly, chargesheet is filed. Having regard to the number of the accused and the witnesses which the prosecution propose to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period. As such, further detention of the applicant as an

under-trial prisoner, in the circumstances of the case does not seem to be either warranted or justifiable. I am, therefore, persuaded to exercise the discretion in favour of the applicant.

8. Resultantly, the following order is passed :-

ORDER

(I) Application is allowed.

(II) Applicant, Vishal Vilas Puse, be released on regular bail upon furnishing P.R. bond in the sum of Rs.50,000/- (Fifty Thousand only) with one or two local solvent sureties in the like amount, in connection with Crime No. 282 of 2025 dated 04.08.2025 registered with City Chowk Police Station, District – Chhatrapati Sambhajnagar for the offences punishable under section 109, 118(1), 115(2) 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023, under section 128, 184 of the Motor Vehicles Act, 1988, on the following conditions :-

- (a) After his release from jail, the applicant shall report to the Investigating Officer as and when called for in writing.
- (b) The applicant shall attend the trial Court every month between 11.00 am to 1.00 pm. to mark his presence.
- (c) Applicant shall co-operate with the conduct of trial and attend trial Court on all dates unless specifically exempted and will not take any unnecessary adjournment.
- (d) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court.
- (e) The applicant shall not influence / pressurize any of the prosecution witnesses or tamper with the evidence, in any manner.

- (f) Before his actual release from jail, the applicant shall furnish his address where he propose to reside after his release from jail, to the concerned Police Station and also to the Trial Court.
- (g) In case of infraction of the above conditions and / or two consecutive defaults in marking his attendance before trial Court, it shall attract the provisions of Section 439(2) of Cr.P.C. i.e. for cancellation of bail.

9. Needless to state that the observations rendered herein-
above are to the extent of consideration of the bail application and trial
Judge may not get influenced by these observations and shall consider
the case on the basis of evidence on record and in accordance with
law.

[SACHIN S. DESHMUKH]
JUDGE

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