

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

Anticipatory Bail Application No.630 of 2025

Aniket Shriram Jadhav
Age : 33 yrs, Occ: driver
R/at : 77, Rajeshwari Nagar,
Bale, Solapur-413255

... Applicant

Versus

The State of Maharashtra
Through Investigation Officer
Faujdar Chawadi Police Station,
Solapur.

... Respondent.

Mr Onkar Mane, for the applicant.

Mr Prashant Jadhav, APP, for the respondent/ State.

Mr MG Katare, HC 472 Faujdar Chawadi Police Station,
Solapur.

Coram: R.N. Laddha, J.

Date: 24 June 2025

P.C.:

Heard Mr Omkar Mane, learned Counsel appearing on behalf of the applicant and Mr Prashant Jadhav, learned Additional Public Prosecutor representing the respondent/ State.

2. The applicant apprehends arrest in connection with CR No.276 of 2024, dated 26 April 2024, registered at Faujdar

Chawadi Police Station, Solapur city, for offences punishable under Sections 143, 147, 149, 324, 327, 504 of the Indian Penal Code and Section 135 of the Maharashtra Police Act, 1951.

3. The applicant is one of the six individuals named as accused in the present case. It is alleged that they, in furtherance of their common intention, assaulted the informant, which ultimately led to the lodging of the FIR and the registration of the present criminal case.

4. At the outset, learned Counsel appearing on behalf of the applicant, submits that two accused individuals, namely Azhar alias Azroddin Salim Shaikh and Anup Shriram Jadhav, who are alleged to have played a role identical to that of the present applicant, have already been granted anticipatory bail by this Court vide orders dated 26 July 2024 and 18 July 2024, respectively. In light of this, the principle of parity is being strongly relied upon in support of the applicant's plea for similar relief. The learned Counsel further submits that the matter arises out of a case involving cross FIRs. He points out that the wife of the present applicant had already lodged an FIR prior in time to the subject FIR. Learned Counsel invited attention to FIR No.275 of 2024, which was registered on the

very same day and at the same police station, against the informant in the present case as well as other accused persons. The FIR invokes provisions under the Indian Penal Code and the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989. The learned Counsel submits that the statement of the informant in the said earlier FIR i.e., the wife of the present applicant, clearly reveals the genesis of the incident and sheds light on the sequence of events. It also details how the present informant and his associates subjected her to caste based abuse and derogatory language, thereby laying the foundation for the applicant's defence. Moreover, learned Counsel points out that although the alleged incident occurred on 21 April 2024, the FIR was not lodged until 26 April 2024, and no plausible or justifiable explanation has been offered for this significant delay. Additionally, the medical report submitted in connection with the case does not reflect any external injuries to the informant, which casts doubt on the veracity and severity of the alleged assault. The learned Counsel further submits that the investigation has already been completed and there is nothing further to be recovered or discovered from the present applicant. Even as per the prosecution's own case, the alleged weapon involved, i.e. an iron rod, was taken from the scene by the co-accused and not by the applicant.

4. The learned Additional Public Prosecutor, representing the respondent/ State, does not dispute the fact that the present matter involves cross FIRs. He submits that the applicant's involvement in the incident is specifically mentioned in the informant's statement, which formed the basis for the registration of the impugned FIR.

5. This Court has carefully perused the material available on record. It is not in dispute that the present matter arises out of cross FIRs, with the initial FIR having been lodged at the instance of the wife of the applicant, Aniket. The circumstances surrounding the incident appear to be rooted in a dispute that allegedly arose during the participation of the applicant's wife and other family members in a public procession, which, as per the allegations, was being obstructed or resisted by the present informant and his associates. The specific allegation against the applicant is that he, along with other co-accused, in furtherance of their common intention, assaulted the informant using an iron rod. However, upon a perusal of the medical records, particularly the injury certificate relating to the informant, it is evident that no external injuries were found on his body, which *prima facie* creates a doubt on the manner and veracity of the alleged assault as narrated in the FIR. It is also relevant to note that the counter allegations made by the applicant's wife, which

culminated in the registration of the FIR, were made prior in point of time to the FIR registered by the present informant. The sequence of events and the filing of cross FIRs indicate a possibility of retaliatory complaints arising from the same incident.

6. In light of the foregoing consideration and the absence of *prima facie* evidence substantiating the allegation of assault by means of an iron rod, this Court is inclined to allow the present application. Hence, the following order.

ORDER

- i) In the event the applicant is arrested in connection with FIR No.276 of 2024 registered at Faujdar Chawadi Police Station, Solapur city, he shall be released on bail on furnishing PR bond of Rs 25,000/- with one or two sureties in the like amount to the satisfaction of the trial Court;
- ii) The applicant shall remain present before the investigating officer as and when required.
- iii) The applicant shall not tamper with the evidence of prosecution in any

manner and shall not influence the witnesses.

iv) The applicant shall cooperate with the investigation and the proceedings before the trial Court.

7. The application stands disposed of.

[R.N. Laddha, J.]