

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1304 OF 2025

Nitin Sanjay Khandagale

.... Applicant

Versus

The State of Maharashtra and Anr.

.... Respondents

Mr. Rajesh Jadhav, Advocate for the Applicant.

Mr. A. S. Shalgaonkar, A.P.P., for the Respondent – State.

Mr. Changdev Shingade, Advocate for Respondent No.2.

Mr. A. M. Bakal, HC, Akulj Police Station, Solapur Rural – present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 14th OCTOBER, 2025.

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P.C. :

1. The Applicant is apprehending arrest in C.R. No.280 of 2025 registered with Akulj Police Station, Solapur Rural, for the offences punishable under Sections 109, 115(2), 119(1), 189(2), 190, 191(2), 191(3), 324(4), 351(2) 351(3), 352 of the Bharatiya Nyaya Sanhita, 2023 (for short, “BNS Act”) along with Section 135 of the Maharashtra Police Act, 1951.

2. It is alleged that on 22nd March, 2025 the Applicant and co-accused assaulted the first informant with intention to kill him.

3. It is contention of learned counsel for the Applicant that the Accused No.1 has been released on regular bail by the learned Sessions Court on the basis of consent given by the first informant. The matter is settled out of the Court. Hence, custodial interrogation of the Applicant is not required, and requested to allow the application.

4. It is contention of learned APP that the Applicant and co-accused assaulted the first informant with intention to kill him. The Applicant was a part of the group, who assaulted the first informant. Considering allegations against the Applicant, his custodial interrogation is required, and requested to reject the Application.

5. Learned counsel for Respondent No.2 tendered affidavit, the same is take on record.

6. Learned counsel for Respondent No.2 submits that matter is settled out of the Court and complaint was filed due to misunderstanding. Hence, requested to pass appropriate order.

7. I have heard all learned counsel, perused F.I.R. and documents produced on record.

8. The allegations against the Applicant are that he was part of the group, who assaulted the first informant with intention to kill

him. The Accused No.1 against whom serious allegations are levelled has been released on regular bail by the learned Sessions Court. There are no specific allegations against the Applicant in F.I.R. Considering these facts, his custodial interrogation is not required, I pass following order:

ORDER

- i. The Application is allowed.
 - ii. In the event of arrest, the Applicant be enlarged on bail in connection with C.R. No.280 of 2025 registered with Akulj Police Station, Solapur Rural, on executing P.R. Bond to the extent of Rs.20,000/- with one or two sureties in the like amount.
 - iii. The Applicant shall attend the concerned police station as and when required.
 - iv. The trial Court shall not be influenced by the observations made in this order and shall decide the matter on its own merits and in accordance with law.
9. In view of the above, the application is allowed and

disposed off.

10. All the concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)