

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

Criminal Application No.477 of 2024

Sopan Sampat Jadhav

Aged: 53 yrs, Occ: Agriculture,

R/at Pargaon (Salu-Malu),

Taluka-Daund, Dist.-Pune.

... Applicant.

Vs.

1. Ashutosh Haridas Botre

Aged: 24 yrs, Occ: Student

2. Keshav Uttam Botre

Aged: 30 yrs, Occ: Agriculture

Both residents of Pargaon (Salu-Malu),

Taluka-Daund, Dist.-Pune.

3. The State of Maharashtra

(At the instance of Yavat Police

Station, Dist.Pune)

... Respondents.

With

Criminal Application No.478 of 2024

Sopan Sampat Jadhav

Aged: 53 yrs, Occ: Agriculture,

R/at Pargaon (Salu-Malu),

Taluka-Daund, Dist.-Pune.

... Applicant.

Vs.

1. Haridas Baburao Botre,

Aged 58 yrs, Occ. Agriculture.

2. Uttam Baburao Botre,

Aged: 65 yrs, Occ. Agriculture

3. Paritosh Ramdas Botre,
Aged 24 yrs, Occ: Student,

4. Mahadu Bhanudas Botre,
Aged 38 yrs, Occ. Agriculture,
All residents of Pargaon (Salu-Malu)
Taluka Daund, Dist.Pune

5. The State of Maharashtra
(at the instance of Yavat Police
Station, District-Pune)

... Respondents.

Mr Ganesh Bhujbal for the applicant.

Mr SM Mangaonkar, APP for the respondent/State in
Cri.Appln/477/2024.

Mr SV Walve, APP for respondent/State in
Cri.Appl./478/2024.

HC Mhaske, Yavat Police Station, Pune Rural.

Coram : R.N.Laddha, J.

Date : 21 August 2025.

P.C. :

1. These applications have been preferred by the applicant, who is the original complainant, seeking cancellation of anticipatory bail granted to the respondents (original accused) by the learned Sessions Judge, Baramati, vide order dated 18th October 2024, passed in Criminal Bail Application Nos. 1132 of 2024 and 1133 of 2024. The said proceedings pertain to FIR registered at Yavat Police Station for offences punishable under Sections 119, 118(1),

115(2), 352, 351(2), 351(3), 189(2), 191(2), and 190 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

2. The applicant contends that the learned Sessions Judge failed to undertake a comprehensive assessment of the merits of the prosecution's case and did not adequately consider the factual narrative underlying the alleged offence. It is submitted that the gravity of the allegations and the role attributed to the respondents warranted a more stringent scrutiny prior to grant of anticipatory bail.

3. Upon careful perusal of the case records and the impugned order, it emerges that the investigation in the subject crime is substantially complete. The record reflects that both parties have lodged cross-complaints arising out of the same incident, indicating a mutual altercation. The material placed before the Court suggests that both the informant and the respondents were involved in a physical confrontation on the date of occurrence.

4. The medical report, as referred to in the Sessions Court's order, indicates that the applicant sustained simple injuries. The FIR does not attribute the use of any deadly weapon to the accused persons. Furthermore, it is evident

that there exists a long-standing civil dispute between the parties, which appears to have contributed to the genesis of the present criminal proceedings.

5. Furthermore, there is no material on record to suggest that the respondents have, at any stage, attempted to interfere with the course of investigation, tamper with evidence, or influence any prosecution witnesses. The record is also devoid of any instance indicating misuse of the liberty granted under the anticipatory bail order.

6. The learned Sessions Judge has rightly confined his analysis to the prima facie material available at the stage of adjudication of the pre-arrest bail application and has duly appreciated the surrounding circumstances. With the investigation now concluded, there exists no further necessity for custodial interrogation of the respondents.

7. In the absence of any new or compelling circumstances arising subsequent to the grant of anticipatory bail, this Court finds no cogent or justifiable ground to interfere with or revoke the relief already granted to the respondents.

8. Accordingly, the applications seeking cancellation of anticipatory bail stand rejected.

[R. N. Laddha, J.]