

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

Criminal Application No.513 of 2024

Pravin Sudam Shinde

Age: 26 years, Serving at Indian Army

R/o. :Khedlejhunge, Tal. Niphad,

Dist. Nashik

... Applicant

versus

1. The State of Maharashtra
at the instance of Police Inspector,
Lasalgaon Police Station,
Lasalgaon,
Tal. Niphad, Dist. Nashik
(Copy of Respondent No.1 to be
served on Public Prosecutor, Bombay
High Court, Appellate Side)

2. Ganesh Sopan Hagote,
Age: Major, Occ.: Agriculturist,

3. Sopan Baburao Hagote,
Age: Major, Occ: Agriculturist,
Respondents No. 2 and 3 R/o.:
Khedlejhunge, Tal. Niphad,
Dist. Nashik

... Respondents

Mr Ramchandra Wagh, i/b. Mr Ajinkya Taskar, for the
applicant.

Mr Arfan Sait, APP, for the respondent/ State.

PSI Pawan Supnak, Lasalgaon Police Station, is present.

Coram: R.N. Laddha, J.
Date: 6 August 2025.

P.C.:

. Heard Mr Ramchandra Wagh, the learned Counsel appearing on behalf of the applicant; and Mr Arfan Sait, the learned Additional Public Prosecutor, representing the respondent/State.

2. The applicant has preferred this application seeking cancellation of anticipatory bail granted to respondents No.2 and 3 in Criminal Bail Application No.395 of 2024, by the learned Additional Sessions Judge, Niphad, vide order dated 12 November 2024, in connection with CR No.257 of 2024, registered at Lasalgaon Police Station, Nashik, for the offences punishable under Sections 351(2), 351(3), 352, 108 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The applicant's contention is that the learned Judge failed to adequately examine the substantive merits of the prosecution's case and did not consider the gravity of the offence.

4. Upon perusing the records, it appears that there has been a delay in the lodging of the present FIR. It also emerges from the record that respondents No.2 and 3 had earlier instituted a

civil suit against the deceased, seeking removal of encroachment from government land. Furthermore, there appears to be no proximate or direct nexus between the alleged suicide and the actions attributed to respondents No. 2 and 3. The investigation in the matter has been duly concluded, and a charge-sheet has already been filed before the competent Court. Moreover, there is nothing on record to indicate that the accused/respondents No.2 and 3 at any point during the course of investigation, attempted to interfere with the investigation, tamper with evidence, or exert any undue influence over prosecution witnesses. Additionally, the records do not reflect any instance of misuse of the liberty extended to the accused through the grant of pre-arrest bail. The learned Additional Sessions Judge, while adjudicating the application for anticipatory bail, has confined his analysis to the *prima facie* material on record and has exercised discretion judiciously taking into account the relevant circumstances of the case.

5. With the investigation having reached its conclusion, there remains no necessity for custodial interrogation of respondents No.2 and 3. In the absence of any fresh or compelling circumstances having emerged subsequent to the grant of pre-arrest bail, this Court finds no cogent ground to interfere with or set aside the said relief already granted to the respondents.

6. In light of the above, the application stands rejected.

(R.N. Laddha, J.)