

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3563 OF 2024

1. Ravindra S/o Vijay Roj
2. Sachin S/o Vijay Roj
3. Vijay S/o Pandit Roj

...Applicants

Versus

The State of Maharashtra & Anr.

...Respondents

Mr. Sahil Choudhari h/f Divyesh Jain, for the Applicants.
Ms. S. M. Yadav, APP, for the Respondent No.1- State.
Mr. Khatal Rahul , PI, attached to Malegaon Police Station, present.

CORAM: MADHAV J. JAMDAR, J.

DATED : 28th NOVEMBER 2025

PC:-

1. Heard Mr. Sahil Choudhari, learned Counsel appearing for the Applicants and Ms. Yadav, learned APP appearing for the Respondent-State.

2. By this application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (“BNSS”) the Applicants are seeking pre-arrest bail in connection with C.R. No.672 of 2024 registered on 23rd November 2024 with the Malegaon Police Station, Nashik Rural, Nashik for the offences punishable under

Sections 118(1), 121, 125, 126, 132, 324(4), 351(2), 352 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (“**BNS**”).

3. As per the prosecution case, Ms. Maltibai Shivaji Mahile, mother of Ms. Tejaswini Roj lodged FIR being C.R. No.671 of 2024 for the offences punishable under Sections 118(1), 125, 126, 324(4), 351(2), 352 and read with Section 3(5) and of the BNS. As per the prosecution case in said C.R. No.671 of 2024 lodged by Ms. Malatibai Mahile her daughter Ms. Tejaswini Roj is subjected to cruelty by the present Applicants i.e. Applicant No.1- Ravindra S/o Vijay Roj (husband), Applicant No.2- Sachin S/o Vijay Roj (brother-in-law) and Applicant No.3- Vijay S/o Pandit Roj (father-in-law) of Ms. Tejaswini Roj. As Police got the information that the said Tejaswini who is specially abled is being assaulted, they went to rescue her. As per the prosecution case, in subject FIR i.e. C.R. No.672 of 2024 which has been registered by Mr. Kiran Bhagwan Raut, Police Constable working with Malegaon Taluka Police Station, District Nashik. The Accused assaulted Police and opposed taking Ms. Tejaswini and therefore, Ms. Tejaswini was not taken from the house of the Applicants and she remained with the

Applicants. As public servants were assaulted, subject C.R. No.672 of 2024 has been lodged.

4. It is the submission of Mr. Sahil Choudhari, learned Counsel appearing for the Applicants that the Applicant No.1- Husband and other family members take complete care of Ms. Tejaswini and they wanted her to remain with them and therefore, the incident in question took place. He further submits that there was no motive to commit the crime. He submits that a learned Single Judge has granted interim protection on 24th December 2024, as there was death in the family and thereafter the said protection has been continued for last about one year. He further submits that the Applicants will completely cooperate with the investigation.

5. Ms. Yadav, learned APP submits that offence is very serious as Police Personnel while doing their duty have been assaulted.

6. As one of the allegation in C.R. No.671 of 2024 is concerning assault and harassment to Ms. Tejaswini who is specially abled this Court by order dated 19th November 2025 requested High Court Legal Services Authority to appoint two Para

Legal Volunteers to verify from the First Informant- Maltibai Shivaji Mahile as also daguther- Tejaswini about well-being of Tejaswini. Accordingly, District Legal Services Authority, Nashik deputed two Para Legal Volunteers and they have submitted report dated 26th November 2025 after verifying from Ms. Tejaswini that presently there is no harassment from the Applicants.

7. Perusal of the record shows that, in view of the earlier C.R. No.671 of 2024 lodged by the mother of Ms. Tejaswini, Police visited residence of the Applicants and tried to take Ms. Tejaswini in a Police jeep and the same was objected by the Applicants including Applicant No.1- Husband of Ms. Tejaswini. *Prima facie* it appears that the incident in question has taken place on a spur of moment. The contention raised by learned Counsel appearing for the Applicants that there was no motive to commit the crime and there is no *mens rea* has to be considered at the time of trial. There are no other antecedents.

8. The First Informant i.e. Respondent No.2- Maltibai Shivaji Mahile in C.R. No.671 of 2024 is personally present in the Court. She confirms that presently there is no harassment to her

daughter- Tejaswini, however, expresses apprehension that hereinafter again she will be harassed and physically assaulted and requested the Court to take necessary steps.

9. A learned Single Judge has already granted interim protection on 24th December 2024 which is operating for last about 1 year. There is nothing on record to indicate that the Applicants have misused the said protection.

10. Accordingly, the case is made out for grant of Anticipatory Bail. In view thereof, the following order is passed:

ORDER

(a) In the event of arrest of the Applicant No.1- Ravindra S/o Vijay Roj, Applicant No.2- Sachin S/o Vijay Roj and Applicant No.3- Vijay S/o Pandit Roj in connection with C.R. No. 672 of 2024 registered on 23rd November 2024 with the Malegaon Police Station, Nashik Rural, Nashik the Applicant is directed to be released on bail on his furnishing P.R. Bond in the sum of Rs.10,000/- with one or two solvent sureties in the like amount.

- (b) The Applicant shall attend the concerned Police Station as and when called till filing of the chargesheet and shall cooperate with the investigation.
- (c) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (d) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.
- (e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.

11. District Legal Services Authority, Nashik is requested to send two Para Legal Volunteers, periodically, at least once in 03 months to the residence of Ms. Tejaswini Roj to enquire about her well being. The Secretary of District Legal Services Authority, Nashik is

requested to supervise the same and to take appropriate action, if necessary.

12. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]