

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

ANTICIPATORY BAIL APPLICATION NO. 3586 OF 2024

1. Sukhdev Satu Kolape
 2. Seema Sukhdev Kolape
 3. Radhabai Sukhdev Kolape
- ...Applicants

Versus

The State of Maharashtra

...Respondent

....

Mr. Piyush Toshnival, Advocate for the Applicants.

Mr. P. H. Gaikwad, A.P.P. for the Respondent – State.

Mr. Devidas Shrirang Khedkar (Head Constable), Shirur Police Station,
Pune, Rural, present.

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CORAM : N. R. BORKAR, J.
DATE : 06th JANUARY, 2025.

P.C.:

1. This is an application for anticipatory bail.
2. The applicants are apprehending their arrest in Crime No.991 of 2024 registered with Shirur Police Station, District Pune, for the offences punishable under Sections 115(2), 117(2), 118(1), 189(2), 189(2), 189(4), 190, 191(2), 351(2), 351(3), 352 of the Bhartiya Nyaya Sanhita, 2023 (for short “BNS”).
3. This Court on 26.12.2024 had passed the following order :

“It is stated by the Learned Counsel for the Applicants that Applicant No.1 is the husband of Applicant No.2 and of Applicant No.3, aged 48 and 70 years, respectively. Applicant No.4 is a daughter-in-law of Applicant No.1.

2. Without intending to comment upon the merits of the peculiar facts of the case, since it is a matter of record that the mother of Applicant No.1 passed away on December 18, 2024, and obsequies would take two weeks, let this Application be considered by the Regular Bench on re-opening i.e., on January 2, 2025, until which date, the Applicants shall not be arrested in terms of FIR No.991 of 2024 dated December 12, 2024, which is at Exhibit ‘A’ of the Application.

3. In the interregnum, the Applicants shall present themselves before the Investigating Officer, first at 10:30 a.m. on December 30, 2024, and next, on January 1, 2025.

4. Stand over to January 6, 2025.

5. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court’s website.”

4. I have perused the statement of complainant. The dispute between the parties appears to be on account of non payment of agricultural loan. According to the complainant on the date of incident, which took place on 09/12/2024, the present applicants assaulted her and her husband by fist and kick blows. There appears to be no need of custodial interrogation. There are no other criminal antecedents against the applicants. In that view of the matter, I am inclined to release the applicants on anticipatory bail. Hence, the following order:

ORDER

(i) Anticipatory Bail Application is allowed;

- (ii) In the event of arrest of the applicants in connection with Crime No.991 of 2024 registered with Shirur Police Station, District Pune, for the offences punishable under Sections 115(2), 117(2), 118(1), 189(2), 189(2), 189(4), 190, 191(2), 351(2), 351(3), 352 of the BNS, the applicants be released on bail on furnishing P R. Bond in the sum of Rs.25,000/- each with one or two sureties in the like amount;
- (iii) The applicants shall attend the concerned Police Station as and when called by the Investigating Officer and shall co-operate with the Investigation.
- (iv) Anticipatory Bail Application stands disposed of accordingly.

(N. R. BORKAR, J.)