

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

Criminal Application No. 213 of 2025

Firdowshi Begum Kaizar Kamal Azad

Age 55 years, Occ. Housewife,

R/o. Tamanna House, Bapdevnagar,

Galli No. 08, Dehuroad, Kivale,

Tal – Havelil, Dist. Pune.

... Applicant

versus

1. Rohitkumar Bhagaji Kanse

Age 41 years, Occ. Doctor,

2. Santosh Bhagaji Kanse

Age 45 years, Occ. Doctor,

Both R/at. Flat No.15/3/370,

Shree Co-Op. Hsg. Society,

Bapdevnagar, Dehuroad,

Tal – Havelil, Dist. Pune.

3. State of Maharashtra

At instance of Dehuroad Police Station

...Respondents

Mr Vaibhav Gargade, for the Applicant.

Mr P P Jadhav, APP, for Respondent No.3 / State.

API Zoheb Shaikh, Dehuroad Police Station, Pune, is present.

Coram: R.N. Laddha, J.

Date: 5 August 2025

P.C.:

. Heard Mr Vaibhav Gargade, the learned Counsel

appearing on behalf of the applicant / original complainant, and Mr P P Jadhav, the learned Additional Public Prosecutor representing respondent No.3/ State.

2. The applicant has preferred this application seeking cancellation of pre-arrest bail granted to respondents No.1 and 2 by the learned Additional Sessions Judge, Pune, by an order dated 17 December 2021 in connection with C.R. No.479 of 2021 registered at Dehuroad Police Station, Pimpri Chinchwad Pune, for the offences punishable under Sections 354, 323 and 504 read with 34 of the Indian Penal Code.

3. The applicant's contention is that the learned Judge failed to delve into the substantive merits of the prosecution case and confined his adjudication to the prima facie material. Upon perusing the records, and as inform by the learned Additional Public Prosecutor, the investigation has been concluded and the charge sheet has also been filed in January 2020. There is nothing on record to suggest that the accused/ respondents No.1 and 2 interfered or attempted to interfere with the prosecution's evidence or influence the witnesses. Furthermore, the records do not indicate that the accused / respondents No.1 and 2 have misused the bail concession granted to them. The learned Additional Sessions Judge, in accordance with legal

principles, rightly refrained from entering into the merits of the case, confining his adjudication to the *prima facie* material. That apart, at this stage, the investigation concluded, charge sheet filed and in absence of new compelling ground post bail, this Court does not accede to the prayer of bail revocation.

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

(R.N. Laddha, J.)