

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

Criminal Application No.278 of 2025

Bharat Balasaheb Jagtap
Age: 34 Years, Occ: Agriculture
R/o. Khangaon Thadi,
Tal- Niphad, Dist-Nashik

... Applicant

versus

1. The State of Maharashtra
Through the Superintendent of
Police Nashik, Tal- Dist- Nashik
2. The Police Inspector,
Saykheda Police Station,
Tal. Niphad, Dist. Nashik
3. Lahanu Alias Kashinath Suryabham Mali
Age: 45 years, Occ: Labourer
4. Sonya Alias Ajay Kashinath Mali
Age: 24 years, Occ: Labourer
5. Karan Dharma Mali
Age: 21 years, Occ: Labourer
6. Monya Sahebrao Pawar Alias
Sachin Gorakh Pawar
Age: 23 years, Occ: Labourer

All R/o: Nandur Madhyameshwar,
Tal- Niphad, Dist- Nashik

... Respondents

Mr Narayan G Rokade, a/w. Mr Siddharth Godke, Mr Abhang
Suryawanshi and Mr Ramchandra Wagh, for the applicant.

Mr SV Walve, APP, for the respondent/State.

PSI Shashikant D Saindane, Saykheda Police Station, Nashik Gramin, is present.

Coram: R.N. Laddha, J.

Date: 17 July 2025.

P.C.:

. Heard Mr Narayan Rokade, the learned Counsel appearing on behalf of the applicant; and Mr SV Walve, 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.3 to 6, by the learned Additional Sessions Judge, Niphad in Criminal Bail Application No.223 of 2025 vide order dated 27 June 2025 in connection with CR No.103 of 2025, registered at Saykheda Police Station having offences punishable under Sections 115, 118(1), 119(1), 189(2), 189(4), 190, 191(1), 191(2), 191(3) and 324(4) 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. However, upon perusal of the records, it

appears that the investigation in the present crime is almost complete. There are cross-complaints filed by both parties arising out of the same incident, indicating a mutual altercation. The materials on record suggest that both the informant and the applicant were involved in assaulting each other on the day of the occurrence. The medical report shows that the applicant sustained only simple injuries. The central point of contention appears to revolve around the alleged use of weapons during the altercation. The weapons purportedly involved have already been recovered. Moreover, there is an unexplained delay of two days in the registration of the FIR.

4. Furthermore, there is no material on record to suggest that the accused has, at any stage, attempted to interfere with the investigation, tamper with evidence, or influence prosecution witnesses. The records are also devoid of any instance where the accused misused the liberty granted to him by way of bail. The learned Additional Sessions Judge has rightly confined his analysis to the *prima facie* material while adjudicating the bail application, and has appreciated the circumstances appropriately. It is also pertinent to note that with the conclusion of investigation and the recovery of all material evidence, including the weapons, there remains no further requirement for custodial interrogation of respondents

No.3 to 6. In the absence of any new, compelling circumstances post the grant of bail, this Court does not find any justifiable ground to interfere with or revoke the bail already granted.

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

(R.N. Laddha, J.)