

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 87 OF 2025

Jayshree Hanumant Kadam

.... Appellant

Versus

State Of Maharashtra And Anr.

.... Respondents

Mr. Vaibhav R. Gargade, Advocate for the Appellant.

Mr. Ashok Metkari, A.P.P., for the Respondent – State.

Mr. Rahul Khot, Advocate for Respondent No.2.

Mr. D. N. Darade, PSI, Baramati Police Station – Present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 5th AUGUST, 2025.

P.C. :

1. The bail application of the Appellant is rejected by the learned Additional Sessions Judge, Baramati, hence this appeal has been preferred by the Appellant before this Court.

2. The Appellant apprehends arrest in Crime No.241 of 2024, registered with Malegaon Police Station, for the offences punishable under Sections 352, 351(2), 118(1), 115(2) of the Bharatiya Nyaya Sanhita, 2023 (for short, “BNS Act”) and Section 3(2)(va), 3(1)(v), 3(1)(r)(s) of the Scheduled Caste and Scheduled Tribe (Prevention

of Atrocities) Act, 1989 (for short, “SC ST Act”).

2. It is prosecution’s case that, on 3rd October, 2024 at around 8:00 a.m., when the first informant’s granddaughter was standing in front of her house, the father-in-law of her grand daughter spat on the first informant. When the first informant confronted him, the Appellant and her husband i.e. father-in-law of granddaughter of the first informant, assaulted the first informant with stick and fist blows, stones, and a wooden stick, and also abused her on caste.

3. It is contention of learned counsel for the Appellant that the Appellant has been falsely implicated in this case. A family dispute is going on between the daughter-in-law of the first informant and son of the Appellant, because of this dispute several complaints are filed against each other. To take revenge, a false compliant has been filed against the Appellant. The Appellant is lady and her husband has already been arrested. Considering the allegations against the Appellant, her custodial interrogation is not required, and requested to allow the appeal.

4 It is contention of learned APP along with learned counsel for Respondent No.2 that the Appellant and her husband assaulted the first informant with fist, blows and abused her on caste.

Considering allegations against the Appellant, her custodial interrogation is required, and requested to dismiss the appeal.

5. I have heard all learned counsel, perused the FIR and documents produced on record.

6. As per the prosecution's case, the incident happened in front of the house of the first informant. It has not come on record whether the incident occurred in public view or not. The Appellant was on interim relief and has co-operated with the investigation. Investigation is almost complete. Considering these facts, her custodial interrogation is not required, and I pass following order:

ORDER

- i. In the event of arrest, the Appellant be enlarged on bail in Crime No. 241 of 2025 registered with Malegaon Police Station, on executing P.R. Bond in the sum of Rs.50,000/- with one or two sureties in the like amount.
- ii. The Appellant shall attend the concerned police station as and when required.
- iii. The Appellant shall not attempt to influence the first informant or any person concerned with the

case.

. The appeal is disposed of in the aforesaid terms.

7. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)