

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3091 OF 2025

VAISHALI
ANIL
TIKAM

Digitally signed
by VAISHALI
ANIL TIKAM
Date:
2025.08.11
16:19:15 +0530

Amar Ramkumar Rathod

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr. Sachin H. Deokar a/w. Mr. Vignesh Ashokan, Advocates for the Applicant.

Ms. M.H. Mhatre, APP for State.

Mr. Sandip K.Bankar, PSI Chakan Police Station and Mr. Datta Vijay Shinde, PC 2878 Chakan Police Station, present.

CORAM : ASHWIN D. BHOBE, J.
DATE : 6th AUGUST, 2025

P.C. :

1. Heard Mr. Sachin Deokar, learned Advocate for the Applicant and Ms. M.H. Mhatre, learned APP for the State.

2. By the present application, the Applicant is seeking bail in C.R. No. 718 of 2024 registered with Chakan Police Station, for the offences punishable under sections 109, 115(2), 118(1), 117(2), 351(1), 352, 324(3), 238 of Bharatiya Nyaya Sahnita, 2023 (in short 'B.N.S.') and u/s. 3,7 of Criminal Amendment Act, 2013.

3. Mr. Sachin Deokar, submits that the said C.R. No. 718 of

2024 is registered as RCC No. 705 of 2024 and is pending before the Court of Chief Judicial Magistrate, Khed Rajgurunagar, Pune,.

4. Applicant is the sole accused in the present crime.

5. FIR is registered at the instance of Sandeep Arun Shinde (Informant). Case of the prosecution is that one Vinod Haribhau Karle was being assaulted by the Applicant, reason for the said assault being Vinod Karle having a chat with the wife of the Applicant. Informant intervened in the said quarrel and during the said intervention, Informant was also assaulted by the Applicant.

6. Applicant was arrested on 20th October, 2024, since then he is in jail. Bail Application No.227 of 2025 filed by the Applicant was rejected by the Additional Sessions Judge, Khed-Rajgurunagar, Pune

7. Mr. Sachin Deokar, learned Advocate for the Applicant submits that the incident alleged against the Applicant arose due to a petty quarrel. He submits that the allegations against the Applicant do not indicate any premeditated act. He submits that the Applicant has filed the present complaint out of spite. He submits that the medical examination of the Applicant indicates the injuries to be simple in nature. Applicant is in jail for almost 9 months.

8. Ms. Mhatre, learned APP for the State submits that there is allegation of the Applicant assaulting the Informant. She

submits that the statement of Vinod Haribhau Karle, indicates he having suffered assault at the hands of the Applicant. She submits that the Applicant has antecedents and therefore the prosecution has apprehensions that the Applicant repeating the crime if released on bail.

9. Perused the record with the assistance of the learned Advocates.

10. Records of the case reveal that the alleged assault happened at the spur of moment. Material on record does not indicate any motive or the act being premeditated. Injuries caused in the alleged assault are simple in nature as evident from the medical papers. Vinod Haribhau Karle, who is alleged to have been assaulted by the Applicant initially, has not filed any complaint. Applicant is in jail for almost 9 months. Investigation is complete and charge-sheet is filed.

11. Considering the nature of evidence and the material on record, continuation of the Applicant in jail is not warranted during the pendency of trial. Applicant is, therefore, entitled to bail. Apprehensions of the Respondent can be allayed by imposing conditions on the Applicant.

12. In view of the above, the present Bail Application is allowed, on the following conditions:

- a) Applicant is directed to be released on bail in connection with C.R. No. 718 of 2024 registered with

Chakan Police Station on his furnishing PR bond in the sum of Rs.25,000/- with one or two sureties in the like amount to the satisfaction of Chief Judicial Magistrate, Khed Rajgurunagar, Pune.

b) Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of the case so as to dissuade such person from disclosing the facts to the Court or any police officer and shall not tamper with evidence.

c) Applicant shall attend and regularly appear before the learned Chief Judicial Magistrate, Khed Rajgurunagar, Pune in RCC No. 705 of 2024 on each date of hearing, unless specifically exempted by the Court.

e) Applicant upon his release, within 3 days shall furnish to the Investigation Officer, Chakan Police Station his residential address with proof and the contact number and to keep the Investigation Officer intimated about the change in the same from time to time.

13. The Bail Application No.3091 of 2025 is allowed in the above said terms.

(ASHWIN D. BHOBE, J.)

Order dated 6th August, 2025 is corrected as per the order dated 11th August, 2025 for speaking to minutes.