

VRJ

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

BAIL APPLICATION NO.3208 OF 2025

Vishal Sehdev Eeplapalli	... Applicant
V/s.	
The Sr. Police Inspector & Anr.	... Respondents

VAIBHAV
RAMESH
JADHAV
Digitally signed by
VAIBHAV RAMESH
JADHAV
Date: 2025.08.13
18:06:13 +0530

**WITH
INTERIM APPLICATION NO.3086 OF 2025
IN
BAIL APPLICATION NO.3208 OF 2025**

Rakesh Ganes Ganji	... Intervener
In the matter between	
Vishal Sehdev Eeplapalli	... Applicant
V/s.	
The Sr. Police Inspector & Anr.	... Respondents

Mr. Mateen Shaikh for the applicant.

Mr. Kamlesh Hadkar for the intervener.

Ms. Shilpa G. Talhar, APP for the State-respondent
No.2.

Mr. Rajesh Ahire, PSI, Kurla Police Station is present.

CORAM : AMIT BORKAR, J.

DATED : AUGUST 13, 2025

P.C.:

1. This is an application filed by the applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS"), seeking regular bail in connection with Crime No. 180 of 2025 registered with Kurla Police Station for offences punishable under

Sections 118(2) and 352 of the Bharatiya Nyaya Sanhita, 2023 (“BNS”).

2. The brief facts of the prosecution case are as follows: The complainant, Mr. Rakesh Ganesh Ganji, has alleged that on 15 April 2025, an altercation occurred over the removal of tiles from the drainage line near his residence. His neighbour, Shashikala, objected to the removal as they intended to install a water tank. She allegedly called the present applicant, Mr. Vishal Sehdev Eeplapalli, and began using abusive language. The complainant rushed home after informing his cousin, Akshay, to reach there. Upon his arrival, he found his family members and Akshay present, while the applicant was allegedly hurling abuses. When the complainant questioned him, the applicant allegedly went to a nearby shop, picked up a koyta, and attacked Akshay, causing injuries to both his hands. It is further alleged that, during the scuffle, the complainant tried to disarm the applicant and, in the process, threw the koyta, which caused injury to the applicant’s hand. Thereafter, the applicant allegedly attacked the complainant again, causing injury to his little finger. The complainant was taken to a hospital and thereafter to the police station. Based on his complaint, the FIR in question was registered.

3. The learned counsel for the applicant submitted that the dispute between the applicant and the complainant was essentially a neighbourhood quarrel which has now been amicably resolved. The applicant has been in custody since 15 April 2025, and further detention would serve no useful purpose. The counsel pointed out that the injuries are not of a grievous nature and the offences

under Sections 118(2) and 352 BNS are not punishable with severe imprisonment terms.

4. On the other hand, the learned APP opposed the application, submitting that the offence involved an assault with a weapon, which shows the applicant's aggressive conduct. It was argued that such conduct should not be lightly condoned, and the applicant does not deserve bail at this stage.

5. The victim himself is present in Court and has filed an affidavit-cum-undertaking, sworn before the Assistant Registrar, High Court, Appellate Side, Bombay, which is taken on record and marked Exhibit 'X'. In the affidavit, the victim has explained the cause of the quarrel, acknowledged that the incident arose out of a sudden provocation, and expressed his desire to maintain peace and harmony in the locality. He has stated that he has no objection to the applicant being released on bail.

6. Considering the facts, the following aspects are relevant: The offences under Sections 118(2) and 352 BNS, though involving use of force, are not punishable with imprisonment of extreme severity. The injuries sustained, as per the record, are not grievous in nature and appear to be the result of a sudden quarrel. The parties have amicably resolved the dispute, and the complainant/victim has expressly stated he has no objection to the grant of bail. The applicant has been in custody since 15 April 2025, and further pre-trial detention would not be necessary when the victim himself does not wish to proceed antagonistically. The trial is likely to take time, and the continued custody of the

applicant would not materially advance the prosecution case in view of the settlement.

7. In view of the above, I am satisfied that this is a fit case where discretion under Section 483 BNSS can be exercised in favour of the applicant. The amicable resolution between the parties, persuades me to hold that the applicant can be released on bail, subject to conditions ensuring his appearance at trial and maintenance of peace.

8. Hence, the following order is passed.

- i) The bail application is allowed;
- ii) The applicant Vishal Sehdev Eeplapalli is directed to be released on regular bail in connection with Crime No. 180 of 2025 registered with Kurla Police Station for offences punishable under Sections 118(2) and 352 of the Bharatiya Nyaya Sanhita, 2023, upon furnishing cash surety of Rs.15,000/- (Rupees Fifteen Thousand Only) and executing a Personal Recognizance (P.R.) Bond in the like amount, within a period of eight weeks from the date of this order, subject to the following conditions:
 - a) The applicant shall report the Kurla Police Station on first Monday of every month between 10.00 a.m. to 12.00 noon, until further orders.
 - b) The applicant shall not tamper with the evidence or attempt to influence any witness.
 - c) The applicant shall appear before the Trial Court on

every date of hearing unless prevented by sufficient cause.

d) The applicant shall not leave the territorial jurisdiction of the Trial Court without prior permission.

e) The applicant shall not indulge in any criminal activity during the pendency of the trial.

f) Any breach of these conditions shall result in the prosecution moving for cancellation of bail before the Trial Court.

9. The bail application is allowed and disposed of.

(AMIT BORKAR, J.)