



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

ANTICIPATORY BAIL APPLICATION NO.387/2025

UMESH WALCHAND SAPKAL

...APPLICANT

VS

STATE OF MAHARASHTRA AND ANR.

...RESPONDENTS

...

Adv. Sugandh B. Deshmukh a/w Aniket Kanawade, Vaibhav Thorve i/b
Irvin D\Souza for the Applicant.

Adv. Ajay S. Patil, APP for the State.

Adv. Akash R. Pande for Respondent No. 2.

HC/2151 P. V. Maner, Walchandnagar Police Station Pune (R).

...

CORAM : RAJESH S. PATIL, J.

DATED : MARCH 17, 2025

P.C.:

1. The applicant has filed the present application for grant of pre-arrest bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) for enlarging him on bail in C.R.No. 16 of 2025 registered with Walchandnagar Police Station, Pune Gramin for the offences under Sections 74, 115(2), 119(1), 352, 351(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023.

2. Mr. Deshmukh, learned counsel for the applicant submits that the said incident occurred on 7 January 2025 at 15.00 hrs. in which the present applicant was injured and was taken to hospital. From the hospital, itself on 9 January 2025, the present applicant lodged a complaint. Mr. Deshmukh submits that the present FIR has

been lodged subsequently on 10 January 2025. He submits that the accused nos. 2 and 3 who are the wife and the mother of the applicant, who have been granted pre-arrest bail by Court of Sessions. He submits that the applicant is ready to co-operate with the investigating officer.

3. The learned APP submits that the present applicant has attended the office of the investigating officer and has given his statement. He submits that the investigation is in progress, therefore, the present applicant should not be granted pre-arrest bail.

4. I have heard the counsel for both the sides. After the alleged incident was occurred, the present applicant was first to lodged an FIR against the first informant. A day after, the present applicant lodged his FIR, FIR has been lodged by the first informant. The complaint, which is a part of the FIR, states that the present applicant pulled her hand and outraged her modesty. Thereafter, the wife and the mother of the present applicant was physically assaulted to the first informant and during the said assault, the gold ornaments of the first informant was lost.

5. There is no antecedents reported against the present applicant. This is a case of cross complaint lodged by the present applicant and so also by the first informant against each other. The applicant is ready to abide all the terms and conditions imposed by this Court.

6 In view of the above, at this stage, *prima facie*, I am convinced that pre-arrest bail can be granted to the present applicant. Hence, I pass the following order.

ORDER

(a) **The anticipatory bail application is allowed.**

(b) In the event of arrest in connection with C.R.No.16/2025 registered with Walchandnagar Police Station, Tal. Indapur, Dist. Pune the applicant shall be released on bail, on furnishing PR. bond to the extent of Rs.30,000/- with one or two sureties each of the like amount.

(c) The applicant shall attend the office of the investigating officer of the concerned police station as and when called for.

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

(e) The applicant shall furnish detail of his residential address, contact number and email address to the Investigating Officer.

7. **The anticipatory bail application is disposed of as allowed.**

(RAJESH S. PATIL, J.)