

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.616 OF 2025**

Nilesh Shankar Waghmare	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Sujay H. Gangal, for the Applicant.
Ms. S. K. Gajre, APP, for the Respondent-State.
API Shweta Shinde, API, attached to Wakad Police Station, Pune,
present.

**CORAM: MADHAV J. JAMDAR, J.
DATED : 13th NOVEMBER 2025**

PC:-

1. Heard Mr. Sujay Gangal, learned Counsel appearing for the Applicants and Ms. Gajre, learned APP for the Respondent-State.

2. This application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (“**BNSS**”) seeking pre-arrest bail in connection with C.R. No.30 of 2025 registered on 22nd January, 2025 with Wakad Police Station, District Pimpri Chinchwad, for the offences punishable under Sections 303(2), 118(1), 352, 351(2), 351(3) and Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (“**BNS**”).

3. The prosecution case is set out in Paragraph No.7 of order dated 15th February 2025 passed by the learned Additional Sessions Judge, Pune in Criminal Bail Application No.581 of 2025.

The relevant portion of Paragraph No.7 reads as under :-

“7. On perusal of copy of investigation papers, it appears that the FIR is lodged against the applicant by his name. It appears from FIR that the applicant and informant are relatives of each other and their lands are adjacent to each other. The civil suit is pending between them in respect of the land. As per allegation in FIR, the informant had allowed the applicant to install hoarding on his land. The work of road widening is going on in the said area, therefore, the applicant was removing his hoarding, at that time, the alleged incident occurred. There is specific allegation that the applicant lifted iron pipe and assaulted on the face of informant, but informant covered his face by his land, therefore, he sustained injury on his wrist. There is also allegation that the applicant pulled gold chain of the informant from his neck, therefore, the same got broken and two pieces of said chain fell on the ground, out of which one piece was picked up by the applicant and went away. The statement of the brother of informant discloses that applicant has thrown pendent and a piece of golden chain on his person. The investigation papers show that the pendent and piece of gold chain have been seized by police and also seized the recording as alleged by the informant. The injury certificate shows that informant sustained injury on his head and fracture on metacarpal.”

4. Ms. Gajre, learned APP strongly opposes the Application and states that the First Informant has suffered grievous injuries.

5. Perusal of the record shows that there is a civil dispute between the Applicant and the First Informant.

6. Mr. Gangal, learned Counsel for the Applicant submits that cross-complaints are filed against each other by the Applicant and the First Informant. Both Informant and Applicant have suffered grievous injuries.

7. Accordingly, the case is made out for grant of Anticipatory Bail. In view thereof, the following order is passed:

ORDER

(a) In the event of arrest of the Applicant- Nilesh Shankar Waghmare in connection with C.R. No.30 of 2025 registered with the Wakad Police Station, District Pimpri Chinchwad, Pune the Applicant is directed to be released on bail on his furnishing PR. Bond in the sum of Rs.50,000/- with one or two solvent sureties in the like amount.

(b) The Applicant shall attend the concerned Police Station on 20th November 2025 and 21st November 2025 between 11:00 a.m. to 02:00 p.m and as and

when called till filing of the chargesheet and shall cooperate with the investigation.

- (c) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (d) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.
- (e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (f) The Applicant shall not leave India without prior permission of the Court.

8. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]