

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 620 OF 2025

Akash Kailash Chavan

..... Applicant

VERSUS

State of Maharashtra & Ors.

..... Respondents

Mr. Vivek N. Arote for the Applicant.

Ms. Rutuja A. Ambekar, A.P.P. for the State.

CORAM : RAJESH S. PATIL, J.

DATE : 5th MARCH, 2025

P.C. :-

This application is filed for pre-arrest bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with FIR No. 0709 dated 30th December, 2024 registered with Chandannagar Police Station, Pune City for the offences punishable under Sections 115(2), 117(2), 118(2), 3(5), 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023.

2. The present applicant is arraigned as the accused no.2. Mr.Arote, learned counsel appearing for the applicant submits that the

injury caused to the informant as per the allegation is that a gas pipe was used by the present applicant as weapon for injuring the informant. As per the injury certificate itself, the injuries are of simple nature. He submits that there are no previous antecedents as far as the present applicant is concerned and the applicant is ready to co-operate with the investigation.

3. The learned A.P.P. submits that as per the injury certificate dated 9th January, 2025 of Sassoon General Hospital, there are grievous injuries, so also there are certain simple injuries. In the statement recorded also, the name of the present applicant is mentioned. As far as the accused no.1 is concerned, he is absconding. She submits that hence the custody of the present applicant is necessary.

4. After carefully going through the injury certificate of the Sassoon General Hospital dated 9th January, 2025, it mentions that the injury as mentioned to the first informant three injuries are grievous and three are simple. It appears that as far as forehead is concerned, the injury is of grievous nature. In the alleged incident, the hockey-stick was used by the accused no.1 to hit the informant on

head.

5. As far as the present applicant/accused no.2 is concerned, it is alleged that he had used a gas pipe to assault the informant on chest and on hand. The injuries caused to the chest and on hand as per the injury certificate are of simple nature. Hence, according to me, at this *prima facie* stage, protection is necessary to be granted to the present applicant. Therefore, the following order :-

(a) The applicant will attend the office of the concerned Investigating Officer in order to record the statement for investigation on 12th March, 2025 and 13th March 2025 between 11:00 a.m. to 2:00 p.m.

(b) It is expected that without admitting his guilt, the applicant will handover the gas pipe as mentioned in the FIR to the Investigating Officer.

(c) The applicant will also co-operate with the Investigating Officer in investigation.

6. Stand over to **19th March, 2025**. Matter to come up under the caption of '**Urgent Circulation**'.

7. In the meantime, no coercive steps be taken against the present applicant.

[RAJESH S. PATIL, J.]