

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 629 OF 2025

Nitin Markas Suryavanshi @ Ajju

..... Applicant

VERSUS

State of Maharashtra

..... Respondent

Adv. Ayaz Khan a/w. Adv. Dilip Mishra, Adv. Zehra C. Adv. Mallika Sharma i/b. Adv. Gorakh Limon for the Applicant.

Mr. Amit A. Palkar, A.P.P. for the State.

CORAM : RAJESH S. PATIL, J.

DATE : 3rd APRIL, 2025

P.C. :-

This application is filed for pre-arrest bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Crime No. 0025/2025 dated 22nd January, 2025 registered with Govandi Police Station for the offence punishable under Sections 115(2), 118(2), 109(1), 189(2)(3), 190, 191(2)(3) of the Bharatiya Nyaya Sanhita, 2023.

2. On the complaint filed by the victim, an FIR was lodged. The role of the present applicants have been mentioned in the said FIR.

3. It is submitted on behalf of the applicant that there are total six

accused, three of the accused have been arrested and have been granted regular bail. It is alleged in the crime that the knife has been used by the accused no.2 for assault. The said accused no.2 has been granted regular bail. The present applicant was present at site when the crime was committed and he has no other role to play, that can be gathered from the CC TV footage. As far as the victim is concerned, there are 11 crimes registered against him. It is further submitted that the present applicant infact was trying to resolve the dispute between the victim and other accused persons who infact alleged to have assaulted the victim. The applicant is ready to co-operate with the police to complete the investigation. The custody of the present applicant is not necessary.

4. The learned A.P.P. submits that as per the medical certificate, there are grievous injuries shown on the leg of the victim. The weapon used in the crime being a knife has not been recovered. The investigation is still in progress. Therefore, the custody of the present applicant would be necessary. There is one antecedent against the present applicant which is for the offence punishable under Section 324 of the Indian Penal Code.

5. I have heard learned counsel for the applicant and the learned

A.P.P. The weapon used in the crime is a knife. The present applicant was not holding the said weapon. Neither from the CC TV footage, it can be seen that the present applicant has physically assaulted the victim. Apart from that, there are 11 crimes registered against the victim. Further it has been argued by the learned counsel for the applicant that infact, the dispute between the victim and the main accused arose on the point that the victim was collecting extortion money “Hafta” from the father of the main accused. Hence, there was quarrel between two groups. The present applicant was trying to resolve the issue, in the CC TV footage, it can be observed. The main accused who was holding the knife was arrested and granted regular bail. Therefore, according to me, as of now, the custody of the present applicant is not at all necessary. Hence, the following order :-

ORDER

- (a) **The anticipatory bail application is allowed.**
- (b) In the event of arrest in connection with Crime No. 0025/2025 dated 22nd January, 2025 registered with Govandi Police Station for the offence punishable under Sections 115(2), 118(2), 109(1), 189(2)(3), 190, 191(2) (3) of the Bharatiya Nyaya Sanhita, 2023, the applicant

shall be released on bail, on furnishing P.R. bonds to the extent of Rs.30,000/- with two or more sureties of the like amount.

(c) The applicant shall co-operate with the investigation and attend and meet the Investigating Officer of the concerned Police Station on 9th April 2025 and 10th April 2025 between 11:00 a.m. to 1:00 p.m. and thereafter as and when called.

(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 not communicate with the victim and the witnesses in any manner whatsoever.

(f) The applicant shall furnish details of his residential addresses, contact numbers and e-mail addresses to the Investigating Officer.

6. Needless to say, violation of any of the aforesaid conditions would make the applicant liable to face proceedings for cancellation of anticipatory bail. It is clarified that the observations made in this order are limited to the question of grant of anticipatory bail to the applicant in the present application and that the trial Court shall proceed further, without being influenced by the observations made in this order.

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

[RAJESH S. PATIL, J.]