

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.644 OF 2025

Vishal Sanjay Gaikwad

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Shailesh Kharat a/w Mr. Kamlesh More a/w Onkar Chaudhari,
Gongal, 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. Shailesh Kharat, learned Counsel appearing for the Applicants and Ms. Gajre, learned APP appearing 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.26 of 2025 registered on 19th January, 2025 with Wakad Police Station, District Pimpri Chinchwad, for the offences punishable under Sections 118(2) and 352 of the Bharatiya Nyaya Sanhita, 2023 (“**BNS**”).

3. The prosecution case is set out in Paragraph No.6 of order dated 12th February 2025 passed by the learned Additional Sessions Judge, Pune in Criminal Bail Application No.537 of 2025.

The relevant portion of Paragraph No.6 reads as under :-

“6. On perusal of copy of investigation paper, it appears that the FIR has been lodged against the applicant by his name. It appears from documents 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 was removing his hoarding, at that time, applicant came there and told him that the said hoarding is his and he is going to sell the same in scrap, to which the informant objected. There is further allegation that the applicant was annoyed and lifted iron rod and assaulted on the face of the forehead and back of the informant and also assaulted on the face of the informant by his hand. There is allegation that the informant sustained injury, therefore, he approached to hospital. From injury certificate it appears that the informant sustained blunt trauma and tenderness on his both lips, forehead, face and back. He also sustained abrasion on upper lip and displaced fracture on both nasal bones.”

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 First Informant.

6. Mr. Kharat, 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-Vishal Sanjay Gaikwad in connection with C.R. No.26 of 2025 registered with the Wakad Police Station, District Pimpri Chinchwad, Pune the Applicant is directed to be released on bail on his furnishing P.R. 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 18th November 2025 and 19th 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.]