



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

ANTICIPATORY BAIL APPLICATION NO. 718/2025

DATTATRAYA SHAMRAO JAGTAP & ANR ..APPLICANTS
VS
STATE OF MAHARASHTRA ..RESPONDENT

Mr. Dhananjay Rananaware for the applicants.
Ms. Pallavi N. Dabholkar, APP for the State.
API R. P. Kamble, Aundh Police Station, Taluka Khatau, District
Satara.

CORAM : RAJESH S. PATIL, J.

DATE : MARCH 17, 2025.

P.C. :

1. This application is filed under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for seeking pre-arrest bail in connection with the First Information Report (FIR) No.258/2024 registered with the Aundh Police Station, District Satara, for the offence punishable under Sections 115(2), 118(1), 189(2), 190, 191(2), 191(3), 351(2), 352 of the Bhartiya Nyaya Sanhita, 2023.

2. It is alleged by the complainant – Dipak Bhanudas Jagtap that on 9/12/2024, at about 4.30 p.m., when the complainant was at home, he received phone call of his cousin brother. Hence, he reached

the field owned by him where he found the applicants along with certain unknown persons. The accused and the persons who were accompanying them assaulted the complainant and his wife. The complainant sustained injuries on his head, back and waist. Hence, the FIR has been lodged.

3. It is submitted on behalf of the applicants that the cross complaint has been lodged. The applicant no.1 and the complainant are cousin brothers. Their lands are adjacent to each other. There are no criminal antecedents reported against the applicants. They are ready to cooperate with the police. There is nothing to be recovered from the present applicants. On allegations of pesticides being poured in the field, the crop of the adjacent land gets damaged. The allegation about 'Mangalsutra' being snatched is made with an ulterior motive. Therefore, physical custody of the present applicant is not necessary. After the present FIR was lodged within one hour the applicant has also lodged the FIR against the complainant.

4. The learned APP submits that as regards the 'Mangalsutra', it is still missing and has not been found by the IO. Therefore, custody of the applicants is necessary for completing the investigation.

5. I have heard learned counsel for the parties and considered the

documents on record.

6. This is a case between the applicant no.1 and the informant who are cousin brothers. Both of them have lodged FIRs against each other. The incident occurred in the field of informant. The fields of both the parties which are adjacent, on the petty issue of pesticides being poured due to which adjacent crop gets damaged. There was physical assault and the injuries sustained are not serious in nature. Taking into consideration the case of the applicant, the contents of the FIR, parties are being related to each other, there are cross FIRs being filed against each other, the case is made out to grant pre-arrest bail to the applicants. Hence, the following order.

ORDER

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

(b) In the event of arrest in connection with FIR No.258/2024 registered with the Aundh Police Station, District Satara, the applicants shall be released on bail, on furnishing P.R. bonds to the extent of Rs.30,000/- each with one or two sureties each of the like amount.

(c) The applicants 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.

(d) The applicants shall furnish details of their residential addresses, contact numbers and email addresses to the Investigating Officer.

(e) The applicants shall attend the concerned police station as and when called for.

(RAJESH S. PATIL, J.)