

AGK

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

ANTICIPATORY BAIL APPLICATION NO.1155 OF 2025

Ankit Suri	... Applicant
V/s.	
The State of Maharashtra & Anr.	... Respondents

Mr. S.G. Rajput with Ms. Rupali Ghthwal and Mr. Ashish Rajput for the applicant.

Mrs. Rajashree V. Newton, APP for respondent No.1-State.

Mr. Praful Patil with Mr. Rohit Patil for respondent No.2.

Mr. M.D. Shirke, PSI, Kharghar Police Station, Navi Mumbai, is present.

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CORAM : AMIT BORKAR, J.

DATED : SEPTEMBER 29, 2025

P.C.:

1. The applicant, apprehending arrest in connection with Crime Register No.79 of 2025 registered with Kharghar Police Station for offences punishable under Sections 74, 117, 115(2), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, has approached this Court seeking pre-arrest bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

2. As per the prosecution, the complainant has been residing alone at the given address for the past six years. Her parents and brother reside at her native place. She works as a Sales Manager with Neleto Systems Pvt. Ltd., Koparkhairane, Navi Mumbai. Since

the past one year, Deepak Kumar Hardil has been providing food and medical aid to stray dogs in Sector 10 and adjoining areas. On 17 February 2025, when they went to Asian Galaxy, Sector 10, Kharghar, to feed the stray dogs, a 45-year-old woman and a 45-year-old man told them not to feed the dogs after 9 p.m., failing which they would be beaten.

3. On 10 February 2025, Deepika, Deepak Kumar Hardil, and Malomi had gone to Asian Galaxy, Sector 10, Kharghar, to feed stray dogs. At that time, the applicant questioned them as to why they were feeding the dogs and threatened to call the police to teach them a lesson. He then brought another person (co-accused). Both of them started arguing, demanding their names and addresses. On refusal, they got annoyed. One of them abused Deepak Kumar and caught his arm. When the complainant objected, the said person asked her name and address. He shouted loudly and began assaulting Deepak Kumar. When the complainant started recording the incident on her mobile, the co-accused asked her not to do so. On her refusal, he attempted to snatch her mobile, pulled her clothes, pushed and shoved her, twisted her hand, and assaulted Deepak Kumar with fist blows. He struck Deepak's ear, pushed his head to the ground, and continued the assault. Thereafter, the complainant called her friends for help.

4. On 19 February 2025, the Police Officer issued a memo for medical examination of the injured. The victims first went to Panvel Rural Hospital and were later referred to MGM Hospital for further treatment. Deepak Kumar was admitted there. The doctor informed that his eardrum was damaged. On 20 February 2025 at

5.00 p.m., he was discharged. Thereafter, they approached Kharghar Police Station but initially did not lodge a complaint. On 22 February 2025, they lodged the FIR.

5. Learned Advocate for the applicant relied upon the interim order dated 16 June 2025 granted by this Court. He submitted that, as per the FIR, the injuries sustained are simple in nature. The incident was not pre-meditated. No weapon was used. The applicant has no criminal antecedents. Considering the nature of assault and the injuries reflected in the medical certificate, the applicant has made out a case for continuation of interim protection.

6. On the other hand, learned Advocate for the informant submitted that while granting interim relief, this Court was misled to believe that the allegations disclosed an offence under Section 74 of the BNS, whereas they disclose an offence under Section 117(3) of the BNS. He argued that the assault has caused permanent injury to the informant. Hence, custodial interrogation of the applicant is necessary.

7. Learned APP opposed the application. He submitted that the allegations are serious. The investigation is almost complete, and steps will be taken to file charge-sheet.

8. I have considered the rival submissions and perused the material placed on record. The FIR narrates an incident of quarrel arising out of objection to feeding stray dogs. It is not a case of pre-planned assault. No weapon is shown to have been used. The allegations are of fist blows, pushing and shoving.

9. The injury certificate shows that the complainant suffered damage to the eardrum. While this injury cannot be ignored, it is not the case of the prosecution that the injury is life-threatening. The applicant has no past criminal record. There is nothing on record to show that if released on bail, he will abscond or tamper with the evidence.

10. The investigation has substantially progressed. The medical evidence has already been collected. The statements of material witnesses are recorded. Therefore, custodial interrogation of the applicant is not necessary at this stage.

11. The incident appears to have occurred in the heat of the moment. It does not reflect preparation or conspiracy. The offence alleged is serious, but the punishment prescribed is not so grave as to deny the applicant the protection of pre-arrest bail, particularly when his antecedents are clean.

12. The applicant has been on interim protection since 16 June 2025. During this period, no complaint has been made about his misuse of liberty or non-cooperation with the investigation. This weighs in favour of granting him protection.

13. Considering the overall facts, the nature of injuries, the progress of investigation, and the absence of antecedents, I am satisfied that the applicant has made out a case for grant of pre-arrest bail.

14. Hence, following order is passed:

a) In the event of arrest of the applicant, namely, Ankit

Suri, shall furnish personal bond of Rs.10,000/- (Rupees Ten Thousand Only) with his recent self-attested photograph and surety of the like amount on the following conditions at the satisfaction of the investigating officer;

b) The applicant shall remain present before the police station concerned as and when called;

c) The applicant shall cooperate with the investigation and make himself available for interrogation whenever required;

d) The applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;

e) The applicant shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police;

f) The applicant shall, at the time of execution of the bond, furnish his address and mobile number to the investigating officer, and the court concerned, and shall not change the residence till the final disposal of the case;

15. The application for anticipatory bail is allowed and disposed of.

(AMIT BORKAR, J.)