

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

Anticipatory Bail Application No.1545 of 2025

Sadhana Dattatraya Pondkule

Age: 35 yrs, Occ: Housewife

R/at Diksal, Tal.Indapur

Dist.Pune

..... Applicant

Vs.

The State of Maharashtra

(through Bhigwan Police

Station, Dist. Pune)

.... Respondent.

Mr Ranjeet M Pawar for the applicant.

Mr YY Dabke, APP for respondent/State.

Coram : R.N.Laddha, J.

Date : 10 June 2025.

P.C. :

By this application, the applicant seeks pre-arrest bail in connection with CR No.102 of 2025, registered at Bhigwan Police Station, Pune, for offences punishable under Sections 118(2), 119(1), 115(2), 352, and 351(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 ('BNS') and Sections 4 and 27 of the Arms Act, 1959 ('Arms Act').

2. The FIR pertains to the incident dated 03.04.2025

wherein it is alleged that the applicant, along with the co-accused, in furtherance of their common intention, abused and assaulted the first informant using scythe, resulting in bleeding injuries.

3. Mr. Ranjeet Pawar, the learned Counsel appearing on behalf of the applicant, contends that, according to the complaint itself, the applicant's involvement is restricted to the purported act of verbally abusing and physically assaulting the informant's mother with fists and kicks. He argues that the offences punishable under Sections 118(2) and 119 of the BNS and Sections 4 and 27 of the Arms Act are in any manner not applicable to the applicant. Furthermore, Mr. Pawar highlights that the First Information Report ('FIR') was not filed immediately following the incident, which reportedly occurred at approximately 12:30 in the afternoon whereas the crime was reported at 10:45 p.m. There remains no explanation for the delay in reporting the crime in a timely manner. The learned Counsel further submits that the applicant has been falsely implicated in the crime and asserts that there is nothing to be recovered or discovered at the applicant's instance. The applicant expresses willingness to fully cooperate with the

investigation and to comply with all conditions imposed by this Court if released on bail.

4. Mr Yogesh Dabke, the learned Additional Public Prosecutor representing the respondent/ State, opposes the applicant's request. He submits that the applicant and the co-accused, in furtherance of their common intention, verbally abused and assaulted the informant and his mother. The allegations are of a serious nature, and if the applicant is released on bail, she may tamper with the evidence or influence witnesses.

5. This Court has given careful consideration to the submissions canvassed across the Bar and perused the records.

6. Upon perusing the records, it appears that the applicant, the co-accused, and the informant are connected by familial ties. The FIR reveals that the co-accused mounted an assault on the informant's right palm using scythe. The role attributed to the present applicant is of assaulting the informant with a fist and kick blows. The applicant is not accused of using any weapon.

7. Furthermore, the investigation is nearing completion, and nothing is to be recovered or discovered from the applicant. The concerns raised by the prosecution regarding potential evidence tampering and witness influence can be adequately mitigated by imposing suitable conditions. Given these circumstances, this Court is inclined to grant the relief of pre-arrest bail to the applicant. Hence, the following order:

ORDER

(i) In the event of the applicant's arrest in connection with CR No.102 of 2025, registered at Bhigwan Police Station, Pune, she shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.

(ii) The applicant shall attend the concerned Police Station as and when required.

(iii) The applicant, herself or through any other person, shall not indulge in any activities that may tamper with the

evidence or influence witnesses.

8. The application stands disposed of accordingly.

[R. N. Laddha, J.]