

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

Anticipatory Bail Application No.1574 of 2025

1. Rajendra Maruti Gaikwad
Age-42 years, Occupation-Labour

2. Ganesh Ashok More
Age-24 years, Occupation-Service

Both R/at-Bahanpur,
Taluka-Baramati,
Dist-Pune

... Applicants

versus

The State of Maharashtra
(Through Baramati Taluka Police Station
In connection with CR No.383 of 2025)

... Respondent

Mr Rupesh Zade, for the applicants.

Mr Prashant Jadhav, APP, for the respondent/ State.

IO PSI Dipali Gaikwad, Baramati Taluka Police Station, is
present.

Coram: R.N. Laddha, J.

Date: 2 July 2025.

P.C.:

At the outset, the learned Counsel appearing on behalf of the applicants submits that the application is not being pressed insofar as applicant No.2, Ganesh Ashok More, is concerned. Accordingly, the application is dismissed as against applicant No.2.

2. Applicant, Rajendra Maruti Gaikwad, apprehending arrest in connection with CR No.383 of 2025, registered at Baramati Taluka Police Station, Pune Rural, for offences punishable under Sections 115(2), 189(2), 190, 191(2), 304, 351(2), 351(3), and 352 of the Bharatiya Nyaya Sanhita, 2023, has preferred this application for pre-arrest bail.

3. It is the case of the prosecution that on 12 September 2024, while the informant was chatting with his friend outside the Primary Health Centre in Barhanpur, an Innova car approached them, with the applicant behind the wheel and co-accused passengers inside. The applicant honked to signal the informant to step aside and then began to abuse him verbally. When the informant responded, all the accused got out of the car, threatening his life and assaulting him with kicks and punches. Amidst this confrontation, the co-accused discreetly snatched the informant's gold chain from his neck. When the informant's friend and a passerby attempted to break up the fight, all the accused fled from the spot.

4. Mr Rupesh Zade, the learned Counsel appearing on behalf of the applicant, asserts the applicant's innocence and highlights that the alleged incident occurred on 12 September 2024, and the FIR was lodged only on 14 September 2024. There is no plausible explanation for the delay in registering

the alleged crime. The learned Counsel submits that the applicant also filed a cross-FIR against the informant and his friend alleged alleging assault by an iron rod on the applicant. Further, one of the co-accused has already been released on bail, and there is nothing to be recovered from the applicant, who is ready to abide by any conditions imposed by this Court, if granted bail.

5. Mr Prashant Jadhav, the learned Additional Public Prosecutor representing the respondent/ State, opposes the applicant's request and contends that the offence is serious. The learned APP submits that the investigation is ongoing and the gold chain is yet to be recovered. If the applicant is released on bail, he may tamper with the evidence and influence the witnesses.

6. Upon perusing the records, it appears that the applicant is accused of allegedly assaulting the informant using punches and kicks. During the altercation, the co-accused is alleged to have snatched the informant's gold chain. The alleged incident occurred on 12 September 2024, and the crime was reported two days later, without explaining the delay. Notably, there is a cross-FIR filed by the applicant. *Prima facie*, the allegations against the applicant relate only to hurling abuses and assaulting the informant with fist and kick blows. There is

nothing to be recovered from the applicant. Moreover, one of the co-accused has already been released on bail. In light of the above, this Court is inclined to exercise its discretion in favour of the applicant. Hence, the following order:

ORDER

- (i) In the event of the arrest of the applicant namely, Rajendra Maruti Gaikwad, he 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, Rajendra Maruti Gaikwad, shall attend the concerned Police Station as and when required.
- (iii) The applicant, Rajendra Maruti Gaikwad, himself or through any other person, shall not tamper with the evidence or influence the witnesses.

7. The application stands disposed of accordingly.

(R.N. Laddha, J.)