

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

Anticipatory Bail Application No.1599 of 2025

Bhausahab Bhujang Nimbalkar
Aged 45 yrs, Occ: Agriculturist
R/at Durgaon, Tal.Karjat,
Dist.Ahilya Nagar

..... Applicant

Vs.

The State of Maharashtra
(through Alandi Police
Station at CR No.124 of 2025)

..... Respondent.

Mr Pratik G Tare, for the applicant.

Mr Pankaj Deokar, APP for respondent/State.

Mr Tukaram Devidas Khadke, Alandi Police Station.

Coram : R.N.Laddha, J.

Date : 16 June 2025.

P.C. :

By this application, the applicant (accused No.3) seeks pre-arrest bail in connection with CR No.124 of 2025, registered at Alandi Police Station, Pimpri-Chinchwad, for offences punishable under Sections 143(3), 146, 127(4), 118(1), 351(2), 352, 115(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The prosecution case is as follows: On 14 March

2025, accused No.1 lured the informant and four other workers into loading watermelons into a vehicle, promising them Rs.700/- for two hours of work. The informant and the others agreed and got into accused No.1's swift car, which took them to his fields at Karjat. Once they arrived, accused No.1 took away the mobile phone, informing them that they wouldn't be allowed to contact anyone. After the day's work was done, when the informant asked for their wages and requested a ride back to Alandi, accused No.1 refused to let them leave, punched the informant, and restrained him. He then instructed accused No.2, his brother, to keep an eye on them and prevent their escape. In a further escalation, the present applicant (accused No.3) kicked a worker named Pappu in a room, causing him to fall. The accused then locked the informant and the others inside a room. It is further alleged that from 15 March 2025 to 17 March 2025, the informant and the other workers were forced to work in the fields. On 17 March 2025, when the informant attempted to escape, accused Nos.1 and 2 caught him. Accused No.1 assaulted the informant with a wooden stick and then confined him to a room. Later, when Majru, one of the workers, informed accused No.1 that his

wife was ill and he wanted to check on her, accused No.1 reluctantly allowed him to leave. Before Majru left, the informant entrusted him with his Aadhar card and his brother's mobile number, asking him to call for help. On 25 March 2025, having completed the fieldwork, the informant was again locked in a room. Eventually, police officers arrived at the spot as the brother of the informant had filed a missing persons report. Thereafter, the informant was taken to Alandi Police Station, where the crime was registered.

3. Mr Pratik Tare, the learned Counsel appearing on behalf of the applicant, contends that the present complaint has arisen from a misunderstanding on the part of the informant, which has since been clarified. The informant and other workers voluntarily worked in the applicant's fields and were compensated with a sum of Rs.20,000/- for their services on 25 March 2025. The present FIR was lodged on 26 March 2025 with the intention of falsely implicating the applicant. The learned Counsel further contends that the sole allegation against the applicant pertains to an alleged incident involving the alleged kicking of a worker named Pappu, which purportedly caused him to

fall. No visible injuries have been sustained by the informant. Mr Tare further submits that the applicant expresses his willingness to cooperate fully with the investigation, as well as to comply with any conditions that this Court may impose, if released on bail.

4. Mr Pankaj Deokar, the learned Additional Public Prosecutor representing the respondent/ State, opposes the applicant's plea and submits that the accused, in furtherance of their common intention, assaulted the informant. The material on record discloses reasonable grounds to believe the applicant's complicity in the crime. Although the learned APP expresses concerns regarding the possibility of the applicant tampering with the evidence and influencing the witnesses, he fairly acknowledges that the investigation is almost complete.

5. This Court has given anxious consideration to the rival contentions and perused the records.

6. A cursory reading of the complaint suggests that the allegation against the applicant (accused No.3) are limited to an alleged physical assault on one Pappu, specifically

involving a kick blow. According to the version provided by the informant in the complaint, he himself was attacked by accused No.1, who is said to have used his fist and a wooden stick during the alleged assault. There are no specific allegations that the applicant assaulted the informant or wielded any kind of weapon during the incident. The learned APP has candidly acknowledged that the investigation is almost complete and there is nothing to be recovered or discovered from the applicant. The prosecution's apprehension about evidence tampering and witness influence can be addressed by imposing appropriate conditions. In the circumstances, this Court is inclined to exercise its discretion in favour of the applicant. Hence, the following order:

ORDER

- (i) In the event of the applicant's arrest in connection with CR No.124 of 2025, registered at Alandi Police Station, Pimpri-Chinchwad, 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 shall attend the concerned Police Station as and when required.

(iii) The applicant, himself or through any other person, shall not indulge in any activity that may tamper with the evidence or influence witnesses.

7. The application stands disposed of accordingly.

[R. N. Laddha, J.]