

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

Anticipatory Bail Application No.1921 of 2025

Ganesh Bhausahab Nimbalkar

Aged: 27 yrs, Occ: Agriculturist,

R/o Durgaon, Tal. Karjat,

Dist. Ahilya Nagar.

... Applicant.

Vs.

The State of Maharashtra

(Through Alandi Police Station,

at CR No.124/2025)

... Respondent.

Mr Pratik G Tare for the applicant.

Mr SV Walve, APP for the respondent / State.

PSI KK Girigosavi, Alandi Police Station, Pimri-Chinchwad.

Coram : R.N.Laddha, J.

Date : 15 July 2025.

P.C. :

By this application, the applicant (accused No.2) 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. According to the prosecution, on 14 March 2025, accused No.1 lured the informant and four workers to Karjat with a

promise of Rs.700/- for two hours of work. Once there, he confiscated their phones and later refused to pay or let them leave. He assaulted the informant and ordered the applicant (accused No.2) to guard them. Accused No.3 kicked a worker named Pappu, and all were locked in a room. From 15 March 2025 to 17 March 2025, the workers were forced to labour. When the informant tried to escape, accused No.1 beat him and confined him again. One worker, Majru, was allowed to leave. On 25 March 2025, after more forced work and confinement, police rescued them following a missing person report filed by the informant's brother.

3. Mr Pratik Tare, the learned Counsel appearing on behalf of the applicant, contends that the present complaint stems from a misunderstanding on the part of the informant, which has since been resolved. He states that the informant and other workers had voluntarily rendered their services in the applicant's fields and were duly compensated with an amount of Rs.20,000/- on 25 March 2025. The FIR, lodged on 26 March 2025, has been filed with the intention of falsely implicating the applicant. The learned Counsel further submits that the only allegation against the applicant pertains to an incident wherein the applicant, along with accused No.1, is alleged to have restrained the informant and others when they

were attempting to leave. He also submits that a co-accused, attributed with a similar role, has already been granted anticipatory bail. Lastly, Mr Tare submits that the applicant is ready and willing to cooperate with the investigation and is prepared to abide by any conditions that this Court may deem fit to impose while considering the prayer for pre-arrest bail.

4. Mr SV Walve, 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, restrained the informant and others while they were attempting to flee. He submits that the material available on record indicates that the accused assaulted the informant and others. The material available on record further provides reasonable grounds to believe in the applicant's involvement in the offence. While the learned APP raises concerns about the possibility of the applicant tampering with evidence or influencing witnesses, he candidly concedes that the investigation is nearly complete, and nothing is to be recovered or discovered from the applicant.

5. Upon perusing the records, more particularly, the FIR, it appears that the allegations levelled against the applicant (accused No.2) are limited in nature. The only specific

accusation attributed to the applicant is that he allegedly restrained the informant and his co-workers at the scene of incident, thereby preventing them from leaving the spot. As per the narration provided by the informant in the FIR, the physical assault was allegedly carried out by accused Nos.1 and 3, who are said to have attacked the informant using their fists and a wooden stick. There are no direct or specific allegations against the applicant suggesting that he either participated in the assault or was in possession of any weapon at the relevant time. The learned APP has fairly conceded that the investigation in the matter is complete and nothing is 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 of the opinion that it would be appropriate to exercise judicial 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.

6. The application stands disposed of accordingly.

[R. N. Laddha, J.]