

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

Anticipatory Bail Application No.1979 of 2025

Mr Roshan Sasane

Age: 41 years, Occ: Self-employed,

Residing at Goutam Sasane,

Near Buddha-Vihar,

Kuravade, Ins Shivaji Lonavala,

Pune, Maharashtra - 410402

... Applicant

versus

The State of Maharashtra

(Through Lonavala City

Police Station, Pune Rural)

... Respondent

Mr Karansingh Rajput, i/b. Mr Aadesh Konde Deshmukh, for the applicant.

Mr SS Pednekar, APP, for the respondent/State.

Mr Mithilesh Mishra, for the intervenor.

Mr MK Abnave, IO HC 2063, Lonavala City Police Station, is present.

Coram: R.N. Laddha, J.

Date: 18 July 2025.

P.C.:

. The applicant apprehends arrest in connection with CR No.195 of 2025, registered at Lonavala Police Station, Pune Rural, for offences punishable under Sections 115(2), 118(2),

189(2), 189(4), 351(2), 351(3) and 352 of the Bharatiya Nyaya Sanhita, 2023 and has filed the present application seeking anticipatory bail.

2. The prosecution contends that on 10 May 2025, around 5:30 p.m., the applicant, along with the co-accused, formed an unlawful assembly and launched a violent assault on the informant, his brother, and his nephew. The assailants are said to have used physical force, delivering kicks and punches, and also wielded an iron rod during the attack. The manner of assault, according to the prosecution, indicates that it was carried out with the intention of causing fatal injuries or killing the informant.

3. Mr Karansingh Rajput, the learned Counsel appearing on behalf of the applicant, asserts the applicant's innocence and contends that the informant and his family members frequently encroached upon the land of the co-accused Harsh Parmar, for which civil proceedings are ongoing before the Sessions Court. The learned Counsel further submits that the registration of the present FIR is a vindictive response to an earlier FIR lodged by co-accused, Roshan concerning the same incident, in which the informant's application for pre-arrest bail was rejected by the Sessions Court. He submits that it was, in fact, the informant

and his associates who were the initial aggressors during the altercation and that several co-accused individuals sustained serious injuries as a result of the attack. Further, the learned Counsel points out that the Sessions Court had the opportunity of reviewing CCTV footage related to the incident. Upon examination, the Court observed that the injuries sustained by the informant were inflicted not by the applicant or the co-accused, but by his associates during the scuffle. In light of the above, the learned Counsel submits that the applicant has been falsely implicated in the present case. Furthermore, the learned Counsel submits that the applicant is ready and willing to cooperate with the investigation and comply with any conditions that may be imposed.

4. Mr SS Pednekar, the learned Additional Public Prosecutor representing the respondent/State, opposes the applicant's request for pre-arrest bail and submits that the applicant, in connivance with the co-accused, formed an unlawful assembly and proceeded to assault the informant and his family members. The assailants used punches, kicks, and an iron rod in the attack. The learned APP further submits that the offence is of a serious nature and if the applicant is released on bail, he may tamper with the evidence or influence the witnesses.

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

6. Upon perusing the records, and more particularly the contents of the FIR, it appears that the applicant stands accused of allegedly assaulting the informant and his family members using an iron rod. The alleged incident is said to have occurred on 10 May 2025; however, the FIR was lodged only on 21 May 2025 indicating an unexplained delay of 11 days in reporting the matter. This inordinate delay, particularly in a case involving allegations of serious physical assault, casts doubt on the credibility and veracity of the informant's version of events. The situation is further complicated by the fact that one of the co-accused filed a counter FIR against the informant and his associates on 11 May 2025. It is pertinent to highlight that the informant, in response to the said counter FIR, sought pre-arrest bail, which was rejected by the Sessions Court. The Sessions Court while denying bail in Criminal Bail Application No.210 of 2025, observed the serious nature of the injuries sustained by the co-accused. Moreover, in the said bail order, the Sessions Court also observed, based on the available CCTV footage, that the injuries sustained by the informant were, *prima facie*, inflicted by his own associates during the scuffle, thereby casting further doubt on the prosecution narrative. It is

also relevant that all the co-accused in the present matter have already been granted anticipatory bail. The prosecution's apprehensions about potential evidence tampering and witness influence can be addressed by imposing appropriate conditions.

7. In view of the above, this Court finds it appropriate to grant anticipatory bail to the applicant. Hence, the following order :

ORDER

- (i) In the event of the applicant's arrest in connection with CR No.195 of 2025, registered at Lonavala Police Station, Pune Rural, 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 by the Investigating Officer.
- (iii) The applicant, himself or through any other person, shall refrain from tampering with the evidence or influencing witnesses.

8. The application stands disposed of accordingly.

(R.N. Laddha, J.)