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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2273 OF 2025

Lata Gunwant Dhainje ...Applicant
Versus
The State of Maharashtra ...Respondent

AND
ANTICIPATORY BAIL APPLICATION NO.2274 OF 2025

Tushar Gunwant Dhainje ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr. Akash R. Pandey, for the Applicant in both ABAs.
Mr. A. R. Metkari, APP, for the Respondent-State in
ABA/2273/2025.
Mr. C. D. Mali, APP, for the Respondent-State in ABA/2274/2025.

CORAM: MADHAV J. JAMDAR, J.
DATED: 24 SEPTEMBER 2025

PC:-

1. The Applicant - Lata Gunwant Dhainje (Criminal Anticipatory Bail Application No.2273 of 2025) is Accused No.3 and the Applicant - Tushar Gunwant Dhainje (Criminal Anticipatory Bail Application No.2274 of 2025) is Accused No.1 in CR No.103 of 2025 registered with the Malegaon Police Station, Pune Rural, for the offences punishable under Sections 118(2), 118(1), 115(2), 352, 351(2), 351(3) and 3(5) of the *Bharatiya Nyaya Sanhita, 2023* ("BNS"). By these Anticipatory Bail

Applications filed under Section 482 of the *Bharatiya Nagarik Suraksha Sanhita, 2023*, the Applicants are seeking pre-arrest bail in connection with said CR No.103 of 2025.

2. As per the prosecution case, the First Informant is the father-in-law of the Applicant - Tushar. Applicant - Tushar is the son of Applicant - Lata. As per the prosecution case, the First Informant i.e. Father-in-law of the Applicant - Tushar, on 23rd April 2025 at about 12:05 p.m. along with his relatives, visited the house of the Applicant. It is alleged that during this visit, a verbal altercation took place in relation to the ongoing matrimonial dispute between them. It is further alleged that the Applicant abused the informant and his relatives in filthy language and threatened them with dire consequences. The FIR also alleges that the Applicant, along with certain family members, physically assaulted the informant and his relatives with wooden sticks and by using force, as a result of which they allegedly sustained injuries. On the basis of the above allegations, offences punishable under Sections 118(2), 118(1), 115(2), 352, 351(2), 351(3), and 3(5) of the BNS have been registered against the Applicant.

3. It is the main submission of Mr. Pandey, learned Counsel appearing for the Applicants that the Applicant - Tushar Gunwant Dhainje has filed a FIR being CR No.102 of 2025 on 23rd April 2025 which has been actually lodged on 24th April 2025 at 01:52 am, after recording of the statement of the Applicant - Tushar against the First Informant and his relatives. He states that the subject FIR has been thereafter lodged on 24th April 2025 at 10:11 pm as a counterblast. He states that the statements in the FIR are completely false. However, he states that in any case the investigation is completed and the Charge-sheet has been filed and therefore the custodial interrogation is not necessary. He further states that Accused No.3 is a woman, a 52-year-old housewife.

4. On the other hand, learned APPs strongly opposes the Anticipatory Bail Applications. They submits that the offence is very serious.

5. Perusal of the record shows that the Applicant - Tushar Gunwant Dhainje has filed a FIR being CR No.102 of 2025 with Malegaon Police Station, Pune Rural on 24th April 2025 at 01:52 and the subject FIR has been lodged on 24th April 2025 at 22:11.

The incident as per the FIR lodged by the Applicant - Tushar Gunwant Dhainje, has taken place on 23th April 2025 at 12:30 pm. As far as the subject FIR is concerned, the timing of the incident is also almost the same. In any case, the Charge-sheet has already been filed in the subject FIR and therefore the custodial interrogation is not necessary.

6. Accordingly, the case is made out for grant of anticipatory bail. In view thereof, the following Order is passed:

ORDER

- (a) In the event of arrest of the Applicant - Lata Gunwant Dhainje (Accused No.3) and the Applicant - Tushar Gunwant Dhainje (Accused No.1), in connection with CR No.103 of 2025 registered with the Malegaon Police Station, District-Pune, they be released on bail on their furnishing PR Bond in the sum of Rs.10,000/- each with one or two solvent sureties each in the like amount.
- (b) The Applicants shall attend the concerned Police Station as and when called by the Investigating

Officer.

- (c) The Applicants shall furnish their cell phone numbers and residential addresses to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (d) The Applicants shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.
- (e) The Applicants shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.

7. The Anticipatory Bail Applications are disposed of accordingly.

[MADHAV J. JAMDAR, J.]