

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2293 OF 2025

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1. Hareshwar *alias* Om Ramesh Jadhav ...Applicants
2. Gokul S/o Balu Jadhav
3. Sanjay S/o Bhagwan Jadhav

Versus

The State of Maharashtra & Anr. ...Respondents

Mr. Kamran Shaikh (Through Video Conferencing), for the Applicants.

Mr. C. D. Mali, APP for the Respondent-State.

CORAM: MADHAV J. JAMDAR, J.
DATED: 16 SEPTEMBER 2025

PC:-

1. Heard Mr. Kamran Shaikh, learned Counsel appearing for the Applicants and Mr. Mali, learned APP for the Respondent-State.

2. The relief sought in the present Anticipatory Bail Application filed under Section 482 of the *Bharatiya Nagarik Suraksha Sanhita, 2023* is pre-arrest bail in connection with CR No.456 of 2025 registered with Malegaon Taluka Police Station, District - Nashik for the offences punishable under Sections 352, 351(2), 3(5), 118(2), 118(1) and 115 of the *Bharatiya Nyaya Sanhita, 2023*.

3. At the outset, Mr. Shaikh, learned Counsel, submits that although the Anticipatory Bail Application is filed by the Applicants i.e. Accused No.2-Hareshwar *alias* Om Ramesh Jadhav, Accused No.3-Gokul Balu Jadhav and Accused No.4-Sanjay Bhagwan Jadhav, however the Accused No.3 i.e. Applicant No.2 has been arrested and therefore this Anticipatory Bail Application No.2293 of 2025 is pressed only for Applicant No.1-Hareshwar *alias* Om Ramesh Jadhav and Applicant No.3-Sanjay Bhagwan Jadhav.

4. As per the prosecution case, the Injured - Vikas Devre had molested the minor daughter of the near relative of the Applicants and therefore he has been assaulted.

5. It is the submission of Mr. Shaikh, learned Counsel appearing for the Applicants that as the near relative of the Applicants is molested by the injured, to ensure that the said conduct is not repeated, the Injured has been assaulted by the Accused.

6. On the other hand, Mr. Mali, learned APP submits that the Injured has been mercilessly beaten and there are very grave

injuries on the body of the Injured and the Injured is in the hospital from the date of the assault i.e. from 7th June 2025 till date. He therefore submits that the custodial interrogation is necessary and the Anticipatory Bail Application be dismissed.

7. Mr. Kamran Shaikh, learned Counsel submits that the injured has already been discharged and to substantiate the same he relies on the posts made by the injured on his Instagram Account. He submits that, the said posts indirectly indicate that the injured is threatening the Applicants and further threatening that the injured will again repeat the said act of molestation. However, for deciding this Anticipatory Bail Application, it is not necessary to examine further the said aspect. However, it is open for the Applicants or other concerned to take appropriate action with respect to said posts including seeking cancellation of bail granted to the injured in case of said incident of molestation of the relative of the Applicants.

8. Perusal of the record shows that even as per the prosecution case, as very near relative of the Applicants have been molested by the Injured - Vikas Devre, he has been assaulted by the Applicants.

Perusal of the FIR shows that the intention of the Applicants was to ensure that the said conduct was not repeated by said Vikas Devre. There are no antecedents against the Applicants.

9. Mr. Shaikh, learned Counsel, states that the Applicants will completely cooperate with the investigation.

10. 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 No.1 - Hareshwar *alias* Om Ramesh Jadhav and Applicant No.3 - Sanjay Bhagwan Jadhav in connection with CR No.456 of 2025 registered with Malegaon Taluka Police Station, District - Nashik, they be released on bail on their furnishing PR Bond in the sum of Rs.25,000/- each with one or two solvent sureties each in the like amount.

(b) The Applicants shall attend the concerned Police Station on 22nd September 2025, 23rd September 2025 and 24th September 2025 between 11:00 am to

02:00 pm and thereafter as and when called by the Investigating Officer and shall cooperate with the investigation.

- (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.

11. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]