

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2295 OF 2025

BHALCHANDRA
GOPAL
DUSANE

Digitally signed by
BHALCHANDRA
GOPAL DUSANE
Date: 2025.09.30
15:59:15 +0530

Mr. Dinesh Mahohar Sambre ...Applicant

Versus

State of Maharashtra ...Respondent

Mr. Aadesh Konde Deshmukh a/w Mr. Yogesh A. Sukale, Advocate
for Applicant.

Ms. S.M. Yadav, APP for the State.

API, Mr. Rahul Patil, Chakan Police Station, present.

CORAM: MADHAV J. JAMDAR, J.

DATED : 29th September 2025

P.C.:

1. Heard Mr. Konde Deshmukh, learned Counsel appearing for the Applicant and Ms. Yadav, learned APP for the State.

2. This Application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("B.N.S.S.") seeking pre-arrest bail in connection with C.R. No.631 of 2024, registered with Chakan Police Station, Pimpri - Chinchwad, for the offences punishable under Sections 109, 189(2), 191(2), 191(3), 115(2), 352, 351(1) of Bhartiya Nyaya Sanhita 2023 ("B.N.S.") and under Sections 37(1)(3) and 135 of Maharashtra Police Act, 1951 and under Sections 4 and 25 of the Arms Act, 1959.

3. The prosecution case is reflected in paragraph-2 of the Order dated 21st April 2025 passed by the learned Additional Sessions Judge, Khed - Rajgurunagar, Pune in Bail Application No. 213 of 2025, by which the Anticipatory Bail Application of the present Applicant has been rejected. The said paragraph-2 reads as under :

“2] It is the contention of the prosecution that on 13/09/2024 the informant Suyog Sadashiv Kangude lodged report alleging that on 12/09/2024 at about 3.00 p.m. in front of Rasik Hotel at Mohitewadi Phata, Akshay Khapre had beaten up him by fists and kicks. Akash Khapre, Akshay Balwande, Omkar Khapre, Ajay Khapre and their maternal uncle Dinesh Sambre assaulted him mercilessly. He went at home, he saw that his brother Sunil also sustained injury. Thereafter at 3.00 p.m. he went towards the accused and inquired why they were assaulted Sunil, at that time, they raised dispute again they were assaulted him, at that time, Swapnali Kanugade, Supriya Kanugade, Shantaram Kanugade etc were rescued him, at that time, Dinesh Sambre, had come along with sickle (Koyta) and caused hurt to him his right arm, his friend assaulted him by iron rod on his right hand, back etc. He further alleged that his shirt was smeared with blood, the nearby people gathered there, therefore, accused were fled away, then he went at Police Station, as he was sustained bleeding injury, police

referred him for medical treatment at Chakan Hospital, after primary treatment, he was referred at YCM Hospital, Pune after taking treatment from YCM hospital he comes lodged report and prayed for necessary action.”

4. It is the submission of Mr. Konde – Deshmukh, learned Counsel for the Applicant that in fact during the incident, one Akshay Balwande and Anita Balwande, were also injured as the First Informant had assaulted them. However, the Police refused to lodge the F.I.R. concerning the same and in fact subject F.I.R. has been lodged against the Co-Accused Akshay Balwande. It is further submission of the learned Counsel of the Applicant that as the Charge-sheet is filed, investigation is completed.

5. Ms. Yadav, learned APP strongly opposes granting pre-arrest bail to the Applicant. She submits that the Applicant has used sickle and caused hurt on the right arm of the First Informant. She submits that the Applicant was not available for the investigation and has not co-operated with the investigation. Therefore, Anticipatory Bail Application be rejected.

6. Perusal of record shows that the Charge-sheet is already filed on 4th December 2024 against all the Accused including the present Applicant.

7. It is also admitted position that there are no antecedents.

8. Thus, by imposing certain conditions, Anticipatory Bail can be granted to the Applicant as no custodial interrogation is required.

9. Accordingly, the Applicant is entitled to pre-arrest bail. Hence, following Order is passed:

ORDER

- (i) In the event of arrest in C.R. No.631 of 2025, registered with Chakan Police Station, Pimpri – Chinchwad under Sections 109, 189(2), 191(2), 191(3), 115(2), 352, 351(1) of the Bhartiya Nyaya Sanhita, 2023 and under Sections 37(1)(3), 135 of Maharashtra Police Act, 1951 and under Sections 4 and 25 of the Arms Act, 1959 , the Applicant - Mr. Dinesh Mahohar Sambre be released on bail by

executing P.R. bond of Rs.25,000/- and furnishing one or two sureties in the like amount.

- (ii) The Applicant shall attend the concerned Police Station once in a week i.e. on Sunday between 11.00 a.m. to 3.00 p.m.
- (iii) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (iv) The Applicant 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.
- (v) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant, or any witness, in any manner.

10. The Anticipatory Bail Application is allowed and disposed of accordingly.

(MADHAV J. JAMDAR, J.)