

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

Anticipatory Bail Application No.2364 of 2025

Kaka Dada Shendge And Anr ... Applicants

versus

The State of Maharashtra ... Respondent

Mr Sujay H Gangal, a/w. Mr Digvijay S Patil and Mr Swaraj M Savant, for the applicants.

Mr SM Mangaonkar, APP, for the respondent/ State.

Mr Rupesh Zade, for the intervenor.

PSI AA Gaikwad, Daund Police Station, Pune Rural, is present.

Coram: R.N. Laddha, J.

Date: 26 August 2025.

P.C.:

The learned Counsel for the applicants submits that the alleged incident is stated to have occurred on agricultural land which is lawfully owned and possessed by the applicants. It is further submitted that a civil suit concerning the said parcel of land is presently *sub judice* before the competent Civil Court. In the said proceedings, the informant has filed her written statement wherein she has categorically admitted that she has no right, title, interest, or concern with respect to the subject agricultural land. This admission unequivocally negates any

claim or dispute raised by the informant in the present criminal proceedings.

2. It is further submitted that Applicant No.1 is a serving member of the Indian Armed Forces and is a person of disciplined background and impeccable service record. The allegations levelled against him are wholly unfounded and devoid of any substantive basis. It is pertinent to note that the informant and the applicants are closely related, and the present FIR appears to be a manifestation of personal animosity or collateral motives arising out of familial discord.

3. The learned Counsel further submits that the weapons allegedly used in the commission of the offence have already been recovered by the investigating agency, and no further custodial interrogation is warranted on that account. It is also submitted that the statements of the prosecution witnesses have been recorded in a mechanical and stereotyped manner, lacking independent corroboration or material specificity. Such perfunctory recording of witness statements casts serious doubt on the credibility of the investigation and the veracity of the allegations.

4. Mr Rupesh Zade, learned Counsel appears on behalf of the first informant and seeks time to file the intervention

application. Learned APP also seeks time to take instructions as the Investigating Officer is not present.

5. By consent, Stand over to **17 September 2025**. There shall not be any coercive action against the applicants in the present crime till the next date.

(R.N. Laddha, J.)