

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2505 OF 2025**

Akshay Madhavsing Pardeshi	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Ms. Anjali Patil, for the Applicant.
Mr. A. R. Metkari, APP, for the Respondent-State.
Mr. P. G. Gajjewar, API, attached to Wakad Police Station, Pune, present.

**CORAM: MADHAV J. JAMDAR, J.
DATED : 7th OCTOBER 2025**

PC:-

1. Heard Ms. Patil, learned Counsel appearing for the Applicant and Mr. Metkari, learned APP appearing for the Respondent-State.

2. This application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail in connection with C.R. No.417 of 2025 registered with Wakad Police Station, Pune on 16th August 2025 for the offences punishable under Sections 118(2), 189(2), 191(3), 190, 115(2), 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023 and under Sections 37(1) and 37(3) read with Section 135 of the Maharashtra Police Act.

3. The prosecution case is set out in paragraphs 2 and 3 of the order dated 26th August 2025 passed by the learned Additional Sessions Judge, Pune in Criminal Bail Application No.5735 of 2025, which reads as under:

“2] In brief it is case of prosecution that the informant is working as X-ray Technician at Anirudha Orthopedic Hospital, Hinjewadi. On 12/08/2025 he went to Hospital of Vijendra Ambadkar on call and after completion of work there at about 12.30 p.m. he was returning to his place, he stopped at Jaika Chaha Stall, in front of Pandit Petrol Pump, Wakad With his friend Amar Gaikwad. Both of them take tea there and the informant was taking cigar there, at that time 5 to 6 persons were taking break fast. The smoke of his cigar went towards that persons. Those persons got angry and abused him, caught his collar and the person who caught his collar told the informant that his name is Akshay Pardeshi and whether informant wanted to quarrel with them. The persons who were sitting along with Akshay Pardeshi started beating him. Thereafter, informant called his cousin Manoj. Manoj came there. Thereafter quarrel was rescued.

3] On 15/08/2025 when the informant was coming from his new place of work from Hinjewadi at about 2.50 p.m. he came near Pandit Petrol Pump, near the shop of obstacle, at that time, a boy of 20 years came there and asked whether there was quarrel with him prior to two days, he replied in negative. Thereafter 5 to 6 persons came there by possessing iron rod in hand. Akshay Pardeshi gives kick on his back and told that he is Akshay Pardeshi and thereafter all persons started beating him. One person assaulted on his head by taking iron rod

from Rohit, other person beat him by kicks and blows and abused him. Thereafter, his brother and other friends came there and he was taken to Hospital at Arihant Multispeciality Hospital, Chinchwad, where his statement was recorded on 15/05/2025 and accordingly, offence has been registered.”

4. Perusal of the FIR shows that the first incident took place on 12th August 2025, where some altercation took place between the First Informant and 5-6 persons. In that incident prime role is of the Applicant. The second incident took place on 15th August 2025 where on the ground of altercation which had taken place on 12th August 2025, about 5-6 persons including the present Applicant assaulted the First Informant. The contents of the FIR shows that the present Applicant has acted as leader of the said group and at his instigation, the co-accused has assaulted on the head of the First Informant with an iron rod. The injuries as per the Injury Certificate dated 16th August 2025 issued by Arihand Multispeciality Hospital, Pimpri-Chinchwad, Pune, are as follows:

Name of injury	Size of injury	Part of Body	Simple, Grievous or Dangerous	Kind of Weapon	Type of Weapon	Remark
Laceration wound	5x2x2 CM ³	Skull (Parietal Region)	Grievous	Metal Rod	Rod	Bleeding ++

5. Thus, the injuries are grievous. The role of the Applicant is that he has acted as leader of the said group of 5-6 persons. Although, it is the contention of Ms. Patil, learned Counsel appearing for the Applicant that 3 persons involved in the crime were juvenile and other accused who has actually assaulted the First Informant has been released on regular bail by the learned Metropolitan Magistrate, however, those orders are not of much relevance in this case, as the custodial interrogation of those accused has been carried out.

6. It is also submitted by Ms. Patil, learned Counsel that the Applicant was not present at the relevant time. However, the material on record shows that the Applicant was present.

7. In any case, this is a case where custodial interrogation of the Applicant is necessary. In the facts and circumstances, no case is made out for granting pre-arrest bail.

8. Accordingly, the Anticipatory Bail Application is dismissed.

[MADHAV J. JAMDAR, J.]