

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2530 OF 2025

Nitin Bhausaheb Nimbalkar	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Pratik G. Tare (through Video Conferencing), for the Applicant.
Ms. S. K. Gajre, APP, for the Respondent-State.
Mr. T. S. Pawar, PSI, attached to Alandi Police Station, Pimpri-Chinchwad, Pune, present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 25th NOVEMBER 2025

PC:-

1. Heard Mr. Tare, learned Counsel appearing for the Applicant and Ms. Gajre, 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.124 of 2025 registered with Alandi Police Station, Pune for the offences punishable under Sections 143 (3), 146, 127(4), 118(1), 351(2), 352, 115(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023. The Applicant is accused No.1.

3. It is the submission of Mr. Tare, learned Counsel appearing for the Applicant that the accused Nos.2 and 3 have been granted bail. He submits that therefore, the Applicant be also granted same protection on the ground of parity. He submits that there are no antecedents against the Applicant. He submits that the offence is registered due to some misunderstanding as according to the First Informant the workers have not been paid. He submits that in any case, on 25th March 2025, payment has been made to the workers.

4. On the other hand, Ms. Gajre, learned APP appearing for the Respondent-State strongly opposes the Anticipatory Bail Application. She submits that the role of the present Applicant i.e. accused No.1 and other accused are different. The present Applicant has assaulted the two injured with a stick and as the role of the present Applicant is different, the Anticipatory Bail Application be dismissed. On instructions, she submits that there are no antecedents against the Applicant.

5. A learned Single Judge (Coram: R. N. Laddha, J.) by order dated 16th June 2025 passed in Anticipatory Bail Application No.1599 of 2025 has granted pre-arrest bail to the accused No.3-

Bhausahab Bhujang Nimbalkar. The prosecution case is set out in paragraph No.2 of said order which reads as under:

“2. The prosecution case is as follows: On 14 March 2025, accused No.1 lured the informant and four other workers into loading watermelons into a vehicle, promising them Rs.700/- for two hours of work. The informant and the others agreed and got into accused No.1’s swift car, which took them to his fields at Karjat. Once they arrived, accused No.1 took away the mobile phone, informing them that they wouldn’t be allowed to contact anyone. After the day’s work was done, when the informant asked for their wages and requested a ride back to Alandi, accused No.1 refused to let them leave, punched the informant, and restrained him. He then instructed accused No.2, his brother, to keep an eye on them and prevent their escape. In a further escalation, the present applicant (accused No.3) kicked a worker named Pappu in a room, causing him to fall. The accused then locked the informant and the others inside a room. It is further alleged that from 15 March 2025 to 17 March 2025, the informant and the other workers were forced to work in the fields. On 17 March 2025, when the informant attempted to escape, accused Nos.1 and 2 caught him. Accused No.1 assaulted the informant with a wooden stick and then confined him to a room. Later, when Majru, one of the workers, informed accused No.1 that his wife was ill and he wanted to check on her, accused No.1 reluctantly allowed him to leave. Before Majru left, the informant entrusted him with his Aadhar card and his brother’s mobile number, asking him to call for help. On 25 March 2025, having completed the fieldwork, the informant was again locked in a room. Eventually, police officers arrived at the spot as the brother of the informant had filed a missing persons report. Thereafter, the

informant was taken to Alandi Police Station, where the crime was registered."

6. A learned Single Judge by further order dated 15th July 2025 passed in Anticipatory Bail Application No.1921 of 2025 has granted pre-arrest bail to the accused No.2-Ganesh Bhausahab Nimbalkar.

7. Perusal of the record shows that although the offence is serious, the accused Nos.2 and 3 have already been released on pre-arrest bail. The accused Nos.2 and 3 are brother and father of the Applicant. There is nothing on record to indicate that the accused Nos.2 and 3 have misused the liberty granted to them. The allegation against the Applicant is that he has assaulted the injured with a stick.

8. Mr. Tare, learned Counsel appearing for the Applicant submits that the FIR has been lodged due to misunderstanding about the payment of wages and in any case, the workers have been paid their wages on 25th March 2025.

9. In any case, in the facts and circumstances, custodial interrogation of the Applicant is not necessary.

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-Nitin Bhausahab Nimbalkar in connection with C.R. No.124 of 2025 registered with the Alandi Police Station, Pune the Applicant is directed to be released on bail on his furnishing P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.
- (b) The Applicant shall attend the Alandi Police Station, Pimpri-Chinchwad, Pune, on 4th December 2025 and 5th December 2025 between 11:00 a.m. to 02:00 p.m. and thereafter as and when called by the Investigating Officer and shall cooperate with the investigation.
- (c) 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.

- (d) 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.
- (e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (f) The Applicant shall not leave India without prior permission of the Court.

11. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]

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