

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2686 OF 2025**

Dayanand Sidram Irkal	...Applicant
<i>Versus</i>	
The State of Maharashtra & Anr.	...Respondents

Mr. Nitin K. Rai i/b. Mr. Samay Pawar, for the Applicant.
Ms. G. P. Mulekar, APP, for the Respondent No.1-State.
Ms. Sonam Pandey, appointed for the Respondent No.2.

**CORAM: MADHAV J. JAMDAR, J.
DATED : 28th NOVEMBER 2025**

PC:-

1. Heard Mr. Rai, learned Counsel appearing for the Applicant, Ms. Mulekar, learned APP appearing for the Respondent No.1-State and Ms. Sonam Pandey, learned Counsel appointed to represent the interest of the Respondent No.2.

2. This application is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking pre-arrest bail in connection with C.R. No.800 of 2023 registered with Chaturshringi Police Station, Pune, for the offences punishable under Sections 141, 143, 147, 302 and 149 of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the deceased was working in the company known as Joglekar Pvt. Ltd. Co. It is the prosecution case that Shekhar Joglekar and Pranav Joglekar, the Directors of said Joglekar Pvt. Ltd. Co., were not paying salary of the deceased and he was forced to work without salary for considerable period. Due to the said conduct of the Directors of the said company, there was dispute between the deceased and the said accused Nos.1 and 2 i.e. Shekhar Joglekar and Pranav Joglekar and the accused Nos.1 and 2 and other accused used to assault the deceased. It is prosecution case that on 1st September 2022 at about 07:30 a.m. the deceased left the residence for going to his work and at about 10:00 a.m., the First Informant i.e. wife of the deceased received information that the deceased was hospitalized due to ill-health. At that time, it was found that there were injuries on vital part of the body, including the head and therefore, the offence is registered.

4. As far as the present Applicant is concerned, his role is that as the First Informant has filed complaint on 3rd September 2022 with the police, the Applicant and co-accused threatened the First Informant in the Police Station.

5. It is the submission of Mr. Rai, learned Counsel appearing for the Applicant that although the Applicant is named in the FIR, no specific allegations are made against him. He submits that the only role attributed to the Applicant is that he has threatened the First Informant as she has lodged the FIR. He submits that the Applicant is not involved in the crime and therefore, pre-arrest bail be granted to the Applicant.

6. It is the contention of Ms. Mulekar, learned APP, appearing for the Respondent No.1-State and Ms. Pandey, learned Counsel appointed to represent the interest of the Respondent No.2 that the offence is very serious as the First Informant has been threatened in the Police Station. It is their submission that there are total five antecedents against the Applicant concerning very serious offences. It is submitted that there is no parity with other accused persons to whom bail has been granted and specific role is attributed to the Applicant. It is submitted that the Applicant is former police personnel and social activist and therefore, the Applicant be not granted pre-arrest bail.

7. As far as five antecedents are concerned, Mr. Rai, learned Counsel submits that the Applicant has already been released on bail in those matters.

8. Perusal of the record shows that as far as the FIR is concerned, although the Applicant's name is mentioned in the FIR, however, no specific allegations are made against him. However, in the letter dated 5th December 2022 sent by the First Informant, it is specifically stated in the said letter that in the Police Station, the First Informant has been threatened by the accused No.1-Shekhar Madhav Joglekar, accused No.2-Pranav Joglekar and the accused No.3- Dayanand Irkal i.e. the present Applicant.

9. Perusal of the record shows that the offence is very serious where the Applicant, who is retired police personnel has threatened the First Informant in the Police Station. However, the main accused Shekhar Joglekar has already been granted pre-arrest bail by order dated 20th August 2024 passed by a learned Single Judge (Coram: N. J. Jamadar, J.) in Anticipatory Bail Application No.3525 of 2023, against whom main allegations are there.

10. Accordingly, although the case is made out for grant of pre-arrest bail, however, considering that there are five antecedents against the Applicant, who is former police personnel, stringent conditions are required to be imposed.

11. As there are five antecedents registered with various Police Station in District- Pune, Mr. Rai, learned Counsel, after taking instructions, submits that the Applicant will not reside in District- Pune and that the Applicant will reside at Kumbhe Shivthar, Mahad Taluka, Dist. Raigad and he will report to Mahad Police Station, Raigad.

12. Accordingly, the case is made out for grant of Anticipatory Bail by imposing stringent conditions. In view thereof, the following order is passed:

ORDER

(a) In the event of arrest of the Applicant-Dayanand Sidram Irfal in connection with C.R. No.800 of 2023 registered with the Chaturshringi Police Station, Pune, the Applicant is directed to be released on bail on his

furnishing P.R. Bond in the sum of Rs.1,00,000/- with one or two solvent sureties in the like amount.

- (b)** The Applicant shall attend the Chaturshringi Police Station, Pune on 4th December 2025 and 5th December 2025 between 11:00 a.m. to 01:00 p.m. and as and when called by the Investigating Officer and shall cooperate with the investigation.
- (c)** The Applicant shall stay outside District-Pune, except for attending the trial.
- (d)** The Applicant shall attend the Mahad Police Station, Dist. Raigad once a week i.e. on every Monday between 11:00 a.m. to 01:00 p.m. The Senior Inspector of Police, Mahad Police Station shall communicate the details of the same to the Investigating Officer.
- (e)** 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.

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

13. The Anticipatory Bail Application is disposed of accordingly.

14. This Court places on record the appreciation of assistance rendered by Ms. Sonam Pandey, learned Counsel appointed to represent the interest of the Respondent No.2. The High Court Legal Services Committee, Mumbai is requested to pay her professional charges as per Rules.

[MADHAV J. JAMDAR, J.]

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