

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
ANTICIPATORY BAIL APPLICATION NO.2822 OF 2025**

Jayesh Jagdish Gaikwad  
*Versus*  
The State of Maharashtra

...Applicant  
...Respondent

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Mr. Saakshat Relekar i/b. Mr. Vishal Pande, for the Applicant.  
Mr. S. A. Karmakar, APP, for the Respondent-State.  
Mr. Dhanaji R. Tone, PSI, attached to Wanvadi Police Station,  
Pune, present.

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**CORAM: MADHAV J. JAMDAR, J.  
DATED : 19<sup>th</sup> DECEMBER 2025**

**PC:-**

1. Heard Mr. Relekar, learned Counsel appearing for the Applicant and Mr. Karmakar, 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.567 of 2024 registered with Wanvadi Police Station, Pune, for the offences punishable under Sections 118(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case is set out in paragraph No.5 of the order dated 6<sup>th</sup> February 2025 passed by the learned Additional Sessions

Judge, Pune in Anticipatory Bail Application No.7513 of 2024, which reads as under:

*“5. From the appreciation of matter on record, it appears that, C. R. No.567/2024 is registered against applicant and other co-accused at Wanwadi Police Station, Pune for the offences punishable under Sections 118(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023. From the appreciation of material on record, it appears that informant was assaulted by scythe and bamboo and he sustained grievous hurt. Considering the averments in the FIR, the property / instrument involved in the commission of crime alleged to be used by applicant and co-accused and material information in respect of crime is likely to be obtained by custodial interrogation of the applicant. Therefore, there appear no substance in the contention of the applicant that custodial interrogation is not necessary in the present case. Moreover, offence alleged to have been committed by the applicant is of grievous nature and severe punishment is provided for same.”*

4. It is the submission of Mr. Relekar, learned Counsel appearing for the Applicant that this is a case where cross FIR is filed. He submits that the Applicant has not been named in the FIR. He submits that there are 2 accused who have been named in the FIR and during investigation, role of other 2 accused have been found. He submits that as far as the Applicant is concerned, his name is not mentioned in the FIR and that the Applicant is not involved in the crime. There is cross FIR and in any case, the investigation is almost

completed. He submits that there are no antecedents against the Applicant.

5. Mr. Karmakar, learned APP appearing for the Respondent-State strongly opposes the Anticipatory Bail Application. He submits that in the incident in question, weapon has been used and therefore, the Anticipatory Bail Application be rejected.

6. Perusal of the record shows that this is a case of cross FIRs. A learned Single Judge by order dated 18<sup>th</sup> June 2025 has already granted protection in favour of Ganesh Raju Naidu who is named in the FIR as accused No.2. A learned Single Judge by order dated 15<sup>th</sup> May 2025 has granted interim protection to accused No.1-Jayesh Sunil Bhandari, who is named in the FIR. The said order is confirmed by this Court by order dated 14<sup>th</sup> October 2025. There are no criminal antecedents against the Applicant.

7. Thus, in the facts and circumstances, 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-Jayesh Jagdish

Gaikwad in connection with C.R. No.567 of 2024 registered with the Wanvadi 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 Wanvadi Police Station, Pune, as and when called by the Investigating Officer and shall cooperate with the investigation. In addition, the Applicant shall attend the concerned Police Station as and when called.
- (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.

8. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]