

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2964 OF 2025

Omkar Vinod Pawar	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Ms. Pooja Agarwal, for the Applicant.
Mr. S. A. Karmakar, APP, for the Respondent-State.
Mr. Chetan Dhanavade, PSI, attached to Uttam Nagar Police Station, Pune, present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 3rd NOVEMBER 2025

PC:-

1. Heard Ms. Agarwal, learned Counsel appearing for the Applicants 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.97 of 2025 registered with Uttam Nagar Police Station, Pune, for the offence punishable under Sections 25, 27 and 3 of the Arms Act, 1959, under Sections 135 and 37(1) of

the Maharashtra Police Act, 1951 and under Sections 125(b), 217 and 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. The prosecution case is set out in paragraph No.2 of the order dated 10th September 2025 passed by the learned Additional Sessions Judge, Pune, by which the Anticipatory Bail Application is rejected. The said paragraph No.2, reads as under:

“2. The facts, as unfold from the FIR, are to the effect that the accused nos.1 to 5 are close friends and were sitting together late night and playing Pub-G game on their mobile phones. In such course, the accused no.1 Sagar boasted and showed off his pistol to the co-accused. In the same, the pistol accidentally fired and the bullet hit accused no.5 Sanket and injured him seriously. Following the same, the accused no.5 Sanket was rushed to hospital, while the co-accused nos.1 to 4 ran away. They were ultimately arrested and subsequently released on bail. The injured accused no.5 was granted anticipatory bail by coordinate court on 14/08/2025. In course of investigation, upon interrogating the accused no.1 Sagar, he told that he procured the said pistol from the present applicant. Following the same, the applicant has rushed to the court to seek protection from arrest.”

4. It is the main contention of Ms. Agarwal, learned Counsel appearing for the Applicant that the Applicant's name is not mentioned in the FIR. There is no role attributed to the present Applicant in the FIR. The co-accused has given the name of the present Applicant stating that he has procured the weapon from the present Applicant. She submits that although there are two antecedents, they are mentioned in the application and the Applicant has been released on bail in those cases.

5. On the other hand, Mr. Karmakar, learned APP strongly opposes the Anticipatory Bail Application. He submits that there are three antecedents.

6. Perusal of the record shows that in the FIR, the Applicant has not been named as accused. The co-accused has stated that he has procured the weapon from the Applicant. Although, there are 3 antecedents, they are of the years 2019 and 2022. The Applicant has been granted bail in those matters. As all the antecedents have been lodged in various Police Stations in Pune City, Pune, Ms. Agarwal, learned Counsel appearing for the Applicant states that the Applicant will stay outside the jurisdiction of Pune City and

that the Applicant will stay at Ganesh Ghat near Vithalwadi Railway Station, Kalyan, Maharashtra 421306 and that the Applicant will report to the Kolsheewadi Police Station, Kalyan. She submits that the Applicant will abide by any of the conditions imposed by the Court.

7. 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-Omkar Vinod Pawar in connection with C.R. No.97 of 2025 registered with the Uttam Nagar 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 not enter Pune City except when called by the Investigating Officer and to attend the trial in this case, if chargesheet is filed and in other cases lodged against the Applicant.
- (c) The Applicant shall attend the Uttam Nagar Police

Station, Pune, on 10th November 2025, 11th November 2025 and 12th November 2025. Thereafter, the Applicant shall attend the Kolshewadi Police Station, Kalyan, every Sunday between 11:00 a.m. to 01:00 p.m. till filing of the chargesheet and shall cooperate with the investigation. The Police Inspector of the Kolshewadi Police Station, Kalyan shall communicate the details of the same to the Investigating Officer.

- (d) 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.
- (e) 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.
- (f) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.

(g) The Applicant shall not leave India without prior permission of the Court.

8. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]

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