

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3030 OF 2025

Vaibha Balasaheb Hagawane	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Mithilesh Mishra a/w. Ms. Namasvi Bhanushali i/b. Mr. Shrinath Mate, for the Applicant.
Ms. G. P. Mulekar, APP, for the Respondent-State.
Ms. Shobha Bhandavalkar, API, attached to Chaturshringi Police Station, Pune, present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 6th NOVEMBER 2025

PC:-

1. Heard Mr. Mishra, learned Counsel appearing for the Applicant and Ms. Mulekar, 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.388 of 2025 registered with Chaturshringi Police Station, Pune, for the offences punishable under Sections 25 and 4 of the Arms Act, 1959, under Sections 135, 37(3) and 37(1)

of the Maharashtra Police Act, 1951 and under Sections 3(5), 351(2), 115(2), 352 and 140(1) of the Bharatiya Nyay Sanhita, 2023.

3. The prosecution case is set out in paragraph No.2 of the order dated 17th October 2025 passed by the learned Additional Sessions Judge, Pune in Criminal Bail Application No.6642 of 2025. The said paragraph No.2 reads as under:

“2. Prosecution Case :-

The incident happened on 24/09/2025 at about 11:00 pm at hotel Tales & Spirit in front of Cloud9 Hospital, Senapati Bapat Road, Pune. At that time while informant Sourabh Balasaheb Kapare and Vaibhav Khirid were sitting there, Vaibhav Khirid called his friend Pranit Hanamghar on phone. At that time Pranit Hanamghar and his brother Sourabh Hanamghar and their another friend came there. Vaibhav Khirid asked informant to come out for two minutes at that time informant and Vaibhav Khirid came out while having the dinner. Thereafter, Vaibhav Khirid, Sourabh Hanamghar and their friend started assaulting by hands and abusing informant. They all forcibly pushed informant in Toyota Hyrider car on back seat. While they were going Pranit Hanamghar who sitting along with informant on back seat assaulted informant by sharp weapon on his head, face, stomach and leg and demanded to return his money. He also threatened to kill. At that time Vaibhav Khirid and Sourabh Hanamghar were coming on their two

wheeler back of the car. Pranit Hanamghar called his friend Vaibhav Hagawane near bridge at Warje football ground. When they all reached at football grounds at 11:30 pm, their friend Vaibhav Hagawane was present there. There all the applicants assaulted informant by fist and kick blows, abused him and demanded him to return their money. Thereafter, on 25/09/2025 at about 00:30 hrs they again dropped informant at hotel Tales & Spirit and went away. Thereafter, on 25/09/2025 at about 17:00 hrs informant lodged the FIR.”

4. It is the submission of Mr. Mishra, learned Counsel appearing for the Applicant that the Applicant is not involved in the crime. He submits that even as per the prosecution case, at the most, the Applicant has assaulted the Complainant by hand. He submits that there are no other antecedents against the Applicant.

5. On the other hand, Ms. Mulekar, learned APP strongly opposes the Anticipatory Bail Application. She submits that the Applicant has committed serious crime and therefore, custodial interrogation is necessary.

6. Perusal of the record shows that the incident has taken place as the Complainant has taken some amount *inter alia* from the Applicant and he was not returning back the said amount. Perusal

of the record further shows that the injuries are of simple in nature. The CCTV footage shows that the Applicant was merely present, however, other material shows that the Applicant is involved in the crime. However, the Applicant has no other antecedents. The injuries are simple in nature. Even as per the prosecution case, the incident has taken place as the Complainant was not returning back money *inter alia* taken from the Applicant. Thus, in this case the custodial interrogation is not necessary.

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-Vaibhav Balasaheb Hagawane in connection with C.R. No.388 of 2025 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.25,000/- with one or two solvent sureties in the like amount.
- (b) The Applicant shall attend the Chaturshringi Police

Station, Pune, on 12th November 2025 and 13th November 2025 between 11:00 a.m. to 02:00 p.m. and thereafter, the Applicant shall attend the Chaturshringi Police Station, Pune, as and when called by the Investigating Officer till filing of the chargesheet.

- (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.]

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