

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3292 OF 2025

1. Nikhil Maruti Kurundwade
2. Nilesh S. Somji
3. Krishna B. Kotwal
4. Nishant S. Duser
5. Tejas V. Goudmadle ...Applicants
V/s.
The State of Maharashtra ...Respondents.

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Mr. Rahul Arote for the Applicant.
Mrs Rutuja Ambekar, APP for the Respondent/State.
API Raju Rathod, Goregaon Police Station, Mumbai is present.

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CORAM : N.R. BORKAR, J.
DATE : 02.12.2025.

P.C. :

1. This is an application for anticipatory bail.
2. The applicants are apprehending their arrest in Crime No.686 of 2025 registered at Goregaon Police Station for the offences punishable under Sections 108, 3(5), 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023.
3. The deceased was the son of the first informant. It is alleged that on 7th September 2025 and 8th September 2025, the present applicants along with the co-accused assaulted and harassed the deceased on the false allegation that he was having relations with the girl friend of Applicant No.4. It is alleged that due to this assault and humiliation, the deceased committed suicide on 9th September 2025 by hanging himself.

4. I have heard the learned counsel appearing for the applicant and the learned APP for the respondent / State.

5. Learned counsel for the applicants submits that there is a delay of more than one and a half months in lodging the FIR. It is submitted that false allegations are made against the applicants owing to a dispute between the deceased and applicant No.4. It is submitted that there is no need of custodial interrogation and the applicants are willing to cooperate in the investigation.

6. On the other hand, learned APP for the respondent/State submits that just before the date of incident the deceased was harassed and assaulted. It is submitted that there are specific allegations against each of the applicant. It is submitted that considering the nature of crime, the applicants may not be released on anticipatory bail.

7. Admittedly, after the alleged incident A.D.R. was registered. However, no allegations were made at that time. The allegations of abetment came to be made one and half months of the alleged incident. There is no need of custodial interrogation of the applicants as nothing is to be recovered at their instance. Considering the overall facts and circumstances of the case, I am inclined to release the applicants on anticipatory bail. In the result, the following order is passed.

ORDER

A) The Application is allowed.

B) In the event of arrest of the applicants in C.R. No.686 of 2025 registered at Goregaon Police Station for the offences punishable under Sections 108, 3(5), 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023, they be released on bail on executing P.R. Bond in the sum of Rs.25,000/- each with one surety or two sureties in the like amount.

C) The applicants shall attend the concerned police station as and when called by the Investigating Officer and shall cooperate in the investigation.

[N.R.BORKAR, J.]