

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 3422 OF 2025

Sourabh Anna Netke

...Applicant

Versus

State of Maharashtra

...Respondent

Mr. Tausif Shaikh, (through v.c.), for the Applicant.

Mr. S.M. Mangaonkar, APP for Respondent-State

CORAM: MADHAV J. JAMDAR, J.

DATED: 12 DECEMBER 2025

P.C.:

1. Heard. Mr. Shaikh, learned Counsel appearing for the Applicant and Mr. Mangaonkar, learned APP for the State.
2. By the present Application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (“**BNSS**”), the Applicant is seeking pre-arrest bail in connection with Crime No.539 of 2025, registered with Hadapsar Police Station, Pune City under Section 4 of the Arms Act, 1959, Sections 135 and 37(1)(c) of the Maharashtra Police Act, 1951, Sections 3 and 7 of the Criminal Law Amendment Act, 2013 and Sections 109, 115(2), 189(2), 189(4), 190, 191(1), 191(2), 191(3) and Section 351(2) of the Bharatiya Nyaya Sanhita, 2023 (“**BNS**”).
3. Prosecution case is set out in paragraph No.4 of order dated 1st October 2025 passed by Additional Sessions Judge, Pune in Criminal

Bail Application No. 5679 of 2025 which reads as under :

“4. Brief facts of the prosecution case is as under,

That the alleged incident took place on 6.6.2025 at 11.00 p.m. at Mauli Graphics, Malwadi, Manjri Budruk, Pune, Pune. On the day of incident, informant and his friend Rushikesh Kamble were sitting in his shop. At that time, applicant alongwith co-accused and C.C.L. came there, they started to abuse, threaten & beat him. They have assaulted him with sharp weapons on head, back and hands and caused the grievous injuries to him. When Rushikesh came to resolve the quarrel, applicant and co-accused have assaulted him with sharp weapons. They have waved the weapons in air and created a terror on the spot. Informant & injured Rushikesh have sustained the injuries and they were taken to Hospital for medical treatment. Investigating officer has arrested four accused. Application is shown to be absconding. Investigation is in progress.”

4. It is the submission of Mr. Shaikh, learned counsel appearing for the Applicant that there is a cross F.I.R. He submits that as per F.I.R. lodged in the present case, only general allegations are made against the Applicant. However, in the supplementary statement, it is stated that the present Applicant has assaulted the injured with sickle. He further submits that there are total seven Accused. Three accused have been granted regular bail and three accused have been granted Anticipatory Bail. He submits that in the cross F.I.R. nine accused are involved. He submits that the Applicant and his brother suffered grievous injuries in the said incident. He further submits that the

Applicant has no antecedents.

5. On the other hand Mr. Mangaonkar, learned APP strongly opposes the application. He submitted that in the supplementary statement dated 1st June 2025, the Applicant was shown absconding. Mr. Mangaonkar, learned APP submits that in the supplementary statement of the First Informant dated 8th June 2025 it is specifically mentioned that the Applicant has assaulted the First Informant with sickle on head and back. He also pointed out injury certificate dated 8th July 2025 and submits that the offence is very serious and therefore Anticipatory Bail Application be rejected. However, on instructions he submits that there are no other antecedents.

6. Mr. Shaikh, learned counsel submitted that although the Applicant was shown to be absconding, the Applicant was available for interrogation and he has filed Anticipatory Bail Application before the learned Sessions Judge, which has been rejected.

7. Perusal of record shows that this is a case where cross F.I.R. has been filed. The present crime is registered as CR No.539 of 2025 on 7th June 2025 at 06: 21 p.m. after the cross – F.I.R. being C.R. No. 538 of 2025 was registered on the same day at 05:07 a.m. i.e. after about 13 hours.

8. Mr. Shaikh learned Counsel submits that cross F.I.R. has been lodged first and thereafter about 13 hours later the subject F.I.R. has

been lodged. He submits that in fact, the Applicant was injured and the Applicant was assaulted by the First Informant and others who are accused in the said cross F.I.R. being CR. No.538 of 2025 and that the Applicant has suffered grievous injuries.

9. Perusal of record shows that there are nine Accused in the cross F.I.R. The Applicant has no Antecedent. Mr. Shaikh learned Counsel submits that the Applicant will co-operate with the investigation.

10. Accordingly, by imposing certain conditions, Anticipatory Bail can be granted. In view thereof, following order is passed.

ORDER

a) In the event of arrest of the Applicant – Mr. Sourabh Anna Netke in connection with C.R. No.539 of 2025 registered with the Hadapsar Police Station, Pune City, District-Pune, the Applicant is directed to be released on bail on his furnishing PR. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

b) The Applicant shall attend the Hadapsar Police Station, District – Pune on 16th and 17th December, 2025 11:00 a.m to 02:00 p.m and thereafter as and when called and shall cooperate with the investigation.

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.

11. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]