

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
ANTICIPATORY BAIL APPLICATION NO.3493 OF 2025

|                              |               |
|------------------------------|---------------|
| Kartik Santosh Ghodke & Anr. | ...Applicants |
| <i>Versus</i>                |               |
| The State of Maharashtra     | ...Respondent |

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Mr. Ashwin R. Kapadnis, for the Applicant.  
Ms. S. M. Yadav, APP, for the Respondent-State.  
Mr. Kiran Balip, PSI, attached to Chinchwad Police Station, present.

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CORAM:   MADHAV J. JAMDAR, J.  
DATED :   18<sup>th</sup> DECEMBER 2025

**PC:-**

1. Heard Mr. Kapadnis, learned Counsel appearing for the Applicants and Ms. Yadav, learned APP for the Respondent-State.
  
2. By this applications filed under Section 482 of the Bharatiya Nagarik Surakhsha Sanhita, 2023 (“**BNSS**”) the Applicants are seeking pre-arrest bail in connection with C.R. No.518 of 2025 registered on 04<sup>th</sup> December 2025 with Chinchwad Police Station, Pimpri Chinchwad for the offences punishable under Sections 109, 115(2), 118(2), 281, 352, 324(4), 189(1), 189(2) and 190 of the Bharatiya Nyaya Sanhita, 2023 (“**BNS**”).

3. The prosecution case is set out in Paragraph No.2 of order dated 16<sup>th</sup> December 2025 passed by learned Additional Sessions Judge, Pune in Criminal Bail Application No.8360 of 2025, which reads as under :-

*2] In brief it is case of prosecution that informant Shubham Dattatray Shinde and his friend Basavraj Shankar Helve on 3/12/2025 at about 10.00 p.m. have drink liquor at the house of Shankar and he, Sham Koli and Basavraj were going by four wheeler vehicle no.MH 14 LY 4794 from Maratha Darbar Hotel at Chinchwad. One unknown person came across their vehicle. So Basavraj stopped his vehicle there and asked that person whether the cant see the vehicle coming. Thereafter hot talks took place between them. Helve came down of the vehicle. At that time that unknown person beat Helve by blows. Aditya Chinchwade, Kartik Ghodke, Shivam Hagawane, Sunil Chinchwade and two unknown persons came there, abused them. Aditya Chinchwade assaulted by glass on the head of Helve. Somehow he rescued himself but he sustained injury on right eyebrow. Sunil Chinchwade assaulted by glass on his back side of head. He was also beaten by other accused by kicks and blows. Thereafter he was taken to hospital and he went to police station and lodged report. On his report the aforesaid offence was registered. In the mean time, Aditya Chinchwade lodged report against the informant of FIR no.518 of 2025 and other other accused stating that on above day, date, place and time the Basavraj and others bet them by stick and kicks and blows and demanded ransom. On his report, offence bearing CR no.517 of 2025 under Section Section 109, 115(2), 118(2), 189(1), 189(2), 190, 281, 324(4), 352 of BNS and u/s 3,7 of Criminal*

*Amendment Act registered with Chinchwad Police Station.*

4. It is the submission of Mr. Kapadnis, learned Counsel appearing for the Applicants that there is a cross FIR being CR No.517 of 2025 registered under Section 109, 308(5), 189, 189(1), 189(2), 190, 352, 351(2) of BNS and 3 and 7 of Criminal Amendment Act, 2013 registered with Chinchwad Police Station on 04<sup>th</sup> December 2025 at 17:39 and the subject FIR has been lodged, subsequently, as a counter blast being CR No.518 of 2025 registered on 4<sup>th</sup> December 2025 at 21:03 i.e. after about 4 hours. He submits that the allegations against the Applicants are that they have assaulted the injured by fist and kicks. He further submits that the Applicants are not involved in the crime and therefore, Anticipatory Bail Application be granted.

5. On the other hand, Ms. Yadav, learned APP, strongly opposes the Anticipatory Bail Application. She submits that the offence is very serious. She further submits that the Applicants are involved in the crime.

6. Perusal of the records shows that the subject FIR being CR No.518 of 2025 is the cross FIR. In said FIR the Accused No.1 is the First Informant. After the lodging of earlier FIR being C.R. No.517 of 2025, subsequently, after about 4 hours the subject FIR has been filed being CR No.518 of 2025. Thus, prima facie the subject FIR has been filed as a counter blast to the FIR which has been filed by the Accused No.1. In any case, as far as the role of the present Applicants is concerned, they have caused injury by assault by fist and kicks. There are no antecedents. Accordingly, in the facts and circumstances custodial interrogation is not necessary and the case is made out for grant of Anticipatory Bail.

7. In view thereof, the following order is passed:

**ORDER**

(a) In the event of arrest of the Applicant No.1 - Kartik Santosh Ghodke and Applicant No.2 - Shivam Sandeep Hagawane in connection with C.R. No.518 of 2025 registered with Chinchwad Police Station, Pimpri Chinchwad the Applicants are directed to be released on bail on their furnishing PR. Bond in the

sum of Rs.25,000/- each with one or two solvent sureties in the like amount.

- (b) The Applicants shall attend the concerned Police Station on 22<sup>nd</sup> December 2025 and 23<sup>rd</sup> December 2025 between 11:00 a.m. to 02:00 p.m. till filing of the chargesheet and shall cooperate with the investigation and thereafter as and when called by the Investigating Officer.
- (c) The Applicants shall furnish their cell phone numbers and residential addresses to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (d) The Applicants 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 Applicants 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.]