

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2802 OF 2025**

Rupali Amol Deore & Ors.	...Applicants
<i>Versus</i>	
The State of Maharashtra	...Respondent

**WITH
INTERIM APPLICATION NO.4259 OF 2025
IN
ANTICIPATORY BAIL APPLICATION NO.2802 OF 2025**

Amol Ashok Deore	...Applicant
<u>IN THE MATTER BETWEEN:</u>	
Rupali Amol Deore & Ors.	...Applicants
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Amey Deshpande a/w. Ms. Vandana Bait, for the Applicants.
Ms. R. V. Newton, APP, for the Respondent-State.
Mr. Bhavesh Paithane i/b. Mr. Ashwin Kapadnis, for the Intervenor.
Mr. R. S. Rajput, Headconstable, attached to Malegaon Camp
Police Station, District-Nashik, present.

**CORAM: MADHAV J. JAMDAR, J.
DATED : 5th DECEMBER 2025**

PC:-

1. Heard Mr. Deshpande, learned Counsel appearing for the Applicants, Ms. Newton, learned APP appearing for the Respondent-State and Mr. Paithane, learned Counsel appearing for the Intervenor.

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.186 of 2025 registered with Malegaon Camp Police Station, District-Nashik, for the offences punishable under Sections 118(1), 189(2), 191(2), 333, 115(2), 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case is set out in paragraph Nos.5 to 7 of the order dated 4th October 2025 passed by the learned Additional Sessions Judge, District-Nashik in Criminal Bail Application No.891 of 2025, which reads as under:

“5. The informant is the husband of applicant No.1. The applicants No.2 to 4 are relatives of applicant No.1. It was matrimonial discord in between informant and applicant No.1 as such the applicant No.1 is staying separately. The matrimonial proceedings are pending before the court at Malegaon. The incident took place on 5.9.2025 at about 9.30 p.m. at the house of informant. At that time informant, his mother Kaushalyabai and wife of his brother namely Ratnamala were at home. At that time applicants No.1 to 4 came inside the house unauthorizedly and started hitting to informant, his mother and wife of his brother. The applicant No.2 and 3 have hit to informant by stick whereas applicant No.4 has caught hold him.

6. The wife of brother of informant tried to rescue the informant from the clutches of applicants that time applicant No.1 and 3 have pushed her and hurled abuses also issued life threats. The neighbourers and

the relatives residing in that area have rushed at the spot and rescued them. It was paining to the stomach of mother of informant hence she was hospitalized.

7. On that count, the informant lodged the report at police station Malegaon Camp on 05.09.2025. The police station officer Malegaon camp registered crime No.186/2025 for the offence punishable under Section 115(2), 118(1), 189(2), 191(2), 333, 351(2), 352 of the Bharatiya Nyay Sanhita, 2023 against present applicants/accused..”

4. It is the submission of Mr. Deshpande, learned Counsel appearing for the Applicants that the First Informant is husband of the Applicant No.1. Both of them are staying separate since 2019 and there are several proceedings filed in the Court including the proceedings under the Protection of Women from Domestic Violence Act, 2005 and proceeding seeking restoration of conjugal rights, which has been allowed. He submits that to settle the matter on 5th September 2025 at 09:30 a.m., the Applicant No.1 along with her father, brother and uncle went to the residence of the First Informant and suddenly the incident took place and assault is by fists, kicks and by stick as per the prosecution case. He submits that the incident in question took place on 5th September 2025 and the mother of the First Informant was discharged on 10th September 2025 and thereafter she passed away on 30th September 2025 due to intracranial hemorrhage therefore, her death is not connected with

the incident in question. He submits that there are no other antecedents against the Applicants.

5. Mr. Bhavesh Paithane, learned Counsel appearing for the Intervenor-First Informant and Ms. Newton, learned APP appearing for the Respondent-State strongly oppose the Anticipatory Bail Application. Both of them submit that there was no meeting called and suddenly the Applicants came into the premises of the First Informant and assaulted his family members. Both of them submit that one of the injury is grievous injury. It is submitted that the injured-Kaushalya i.e. mother of the First Informant was in the hospital for 5 days from 5th September 2025 to 10th September 2025 and one injury suffered by her was grievous. Therefore, they submit that the Anticipatory Bail Application be rejected.

6. Perusal of the record shows that the First Informant is husband of the Applicant No.1. Admittedly, they are staying separately since 2019. The incident in question took place on 5th September 2025 when the Applicant No.1 i.e. wife of the First Informant and her father, brother and uncle went to the residence of the First Informant where the incident in question took place.

7. Perusal of the record shows that the incident has taken place suddenly. Although it is correct that the mother of the First Informant suffered injuries, two injuries were simple in nature and one was grievous injury. The assault is by blunt and hard object. Even as per the FIR the assault is by fists, kicks and stick. The mother of the First Informant was in hospital from 5th September 2025 till 10th September 2025. Thereafter, as per the Post-Mortem Report, she passed away on 30th September 2025 due to intracranial hemorrhage. There are no antecedents against the Applicants.

8. 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 No.1-Rupali Amol Deore, the Applicant No.2-Mothabhau Vana Gangurde, the Applicant No.3-Rahul Mothabhau Gangurde and the Applicant No.4-Mansaram Vana Gangurde in connection with C.R. No.186 of 2025 registered with the Malegaon Camp Police Station, District-Nashik, the Applicants are directed to be released on bail on their furnishing P.R. Bond in the sum of Rs.30,000/- each with one or two solvent sureties

each in the like amount.

- (b) The Applicants shall attend the Malegaon Camp Police Station, District-Nashik, as and when called by the Investigating Officer and shall co-operate with the investigation.
- (c) The Applicants shall furnish their cell phone number and residential address 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.

9. The Anticipatory Bail Application is disposed of accordingly.

10. In view of the disposal of the Anticipatory Bail Application, nothing survives in the Interim Application and the same is also disposed of.

[MADHAV J. JAMDAR, J.]