



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 310 OF 2025

Sanjay Mahadeorao Dhabekar Vs State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. Adwait Manohar, counsel with Mr. U.P. Dable, counsel for applicant.

Mr. D.V. Chauhan, Public Prosecutor (Senior Counsel) with Mr. N.B. Jawade, APP for non-applicant/
State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 16/06/2025.

1. Apprehending the arrest at the hands of police in connection with Crime No.166/2025 registered with Police Station Ambazari, Nagpur for the offence punishable under Sections 109(1), 118(2), 127(2) read with Section 3(5) of the Bhartiya Nyaya Sanhita, 2023, the applicants approached this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of a report lodged by Aviash Devraoji Kolte, on an allegation that one civil suit is pending between the present applicant and the informant and they have decided to settle the matter amicably, and therefore they came to the office of Advocate Mr. Masodkar, wherein it is alleged that the present applicant has assaulted the informant by means of knife as well as fists and blows, due to which the informant has received grievous injuries. On the basis of the said report, police have registered the crime against the present applicant.

3. Heard learned counsel Mr. Manohar for the applicant, who submitted that during the settlement talks, there was a hot exchange of words, and during that hot exchange of words, both parties assaulted each other, and in the said incident, the informant sustained grievous injuries. As far as the recovery of the weapon is concerned, the applicant is ready to attend the concerned police station and is also ready to produce the weapon of the offence. In view of that, he be protected by granting anticipatory bail.

4. Learned Public Prosecutor strongly opposed for the same and submitted that considering the gravity of the offence, the custodial interrogation is required. At the same time, he fairly submitted that the attendance will suffice the purpose.

5. On hearing both sides and on perusal of the recitals of the FIR and the investigation papers, it reveals that during the settlement talks, there was hot exchange of words between both parties, and both party members sustained grievous injuries in the said incident. In another crime, the applicants are already protected by granting the anticipatory bail with similar conditions therefore, the present applicant can be protected by granting anticipatory bail. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order:

ORDER

a] Criminal Application is allowed.

- b] In the event of arrest in connection with Crime No.166/2025 registered with Police Station Ambazari, Nagpur for the offence punishable under Sections 109(1), 118(2), 127(2) read with Section 3(5) of the Bhartiya Nyaya Sanhita, 2023, the applicant – ***Sanjay Mahadeorao Dhabekar***, shall be released on anticipatory bail on executing PR Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- c] The applicant shall attend the concerned Police Station once in a week on Monday between 10.00 a.m. to 1.00 p.m. and shall cooperate with the investigating agency.
- d] The applicant shall produce the weapon of the offence before the investigating officer and said period will be considered as custody for the purpose of Section 23(2) of the Bharatiya Sakshya Adhiniyam, 2023 .
- e] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case, and shall not indulge himself in similar types of activities.

Criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]