



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

CRIMINAL APPLICATION (BA) NO. 567 OF 2025

Sachin s/o Sahebrao Hatkar

Vs.

State of Maharashtra, through Police Station Vasant Nagar, Taluka Pusad,
District Yavatmal

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. C. S. Dongare, Counsel for the applicant.

Mr. Anant Ghogare, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 13/06/2025

1. The applicant came to be arrested on 19.04.2025 in connection with Crime No.161/2025 registered with Police Station Vasant Nagar, District Yavatmal for the offence punishable under Sections 109, 189(2), 190, 191(2), 191(3), 351(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023.

2. The crime is registered on the basis of report lodged by Vandana Vishnu Gadade mother of the injured on an allegation that her son Vijay Gadade was assaulted by the other co-accused and other 5 to 6 persons by knife, iron rod, stick etc., due to which, he has sustained the grievous injuries. On the basis of the said report, police have registered the crime against the present applicant. During the investigation, the statement of the injured was

recorded wherein he has alleged against the co-accused namely Ajay Shelke and Sagar, who have assaulted him by means of a stick and iron rod. As far as the present applicant is concerned, he has only stated about his presence and no overt act is attributed to him. Learned Counsel for the applicant submitted that considering that no overt act is attributed to him and now the investigation is practically completed, his further incarceration is not required, in view of that, he be released on bail.

3. Learned APP strongly opposed the said application on the ground that considering that the present applicant and another co-accused have assaulted the injured, in furtherance of their common intention, the injured has sustained the grievous injuries, in view of that, the application deserves to be rejected.

4. On hearing both sides and on perusal of the investigation papers, it reveals that except the presence of the present applicant, no overt act is attributed to him. Now the injured is discharged from the hospital, the investigation appears to be completed practically, and further incarceration of the present applicant is not required. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

- (i) The application is allowed.

(ii) The applicant **Sachin s/o Sahebrao Hatkar** shall be released on bail in connection with Crime No.161/2025 registered with Police Station Vasant Nagar, District Yavatmal for the offence punishable under Sections 109, 189(2), 190, 191(2), 191(3), 351(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, on executing PR bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(iii) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

(iv) The applicant shall attend the proceeding before the Sessions Court without seeking any exemption unless there are exceptional circumstances.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)