



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

CRIMINAL APPLICATION (APPA) NO. 1107 OF 2025
IN
CRIMINAL APPLICATION (ABA) NO. 386 OF 2025

Praful s/o Ramesh Pawade 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. M.I. Dhattrak, counsel for applicant.
Mr. Ganesh Umale, APP for non-applicant/State.
Mr. Rohan Deo, counsel for intervenor.

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

1. By this application, one of the victim is seeking permission to engage the counsel to assist the prosecution.
2. In view of the reasons mentioned in the application, he is permitted to engage the counsel to assist the prosecution.
3. The criminal application is disposed of.

CRIMINAL APPLICATION (ABA) NO. 386 OF 2025

1. Apprehending the arrest at the hands of police in connection with Crime No. 307 of 2025, registered with Police Station Warud, District Amravati Rural for the offence punishable under Sections 115, 118(1), 3(5), 324(4), 333, 351(2), 351(3) and 352 of the Bhartiya Nyay Sanhita, 2023, the applicant approached this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of a report lodged by brother of the injured, on an allegation that there was an incident of burning the sweet lime tree. On suspicion, the injured was assaulted by the present applicant and the other co-accused, in which the injured has sustained grievous injuries. On the basis of the said report, police have registered the crime against the present applicant.

3. Heard learned counsel for the applicant, who submitted that now injured is discharged from the hospital, his statement is also recorded. The weapon of the offence is also recovered by the investigating agency. Thus, the purpose of the custodial interrogation is already fulfilled. As far as his custodial interrogation is concerned, which is not required, in view of that, he be protected by granting anticipatory bail.

4. Learned APP strongly opposed the said application on the ground that, considering the nature of the injuries sustained by the injured, who was not at all connected with the incident of burning the said trees, and he was mercilessly assaulted by the present applicant therefore, the application deserves to be rejected.

5. Learned counsel for the victim strongly opposed the said application and submitted that, considering the gravity of the offence and the statement of the injured, which specifically shows the involvement of the present applicant. The injured has sustained grievous injuries, as multiple

fractures were sustained by him, in view of that, the application deserves to be rejected.

6. After hearing both sides and on perusal of the investigation papers, the involvement of the present applicant is revealed from the various statements. It is also not in dispute that, the injured has sustained multiple injuries, and injuries are also on the vital part of the body, but considering the fact that the weapon of the offence is already recovered. Moreover, the injured is already discharged from the hospital, and he is not under the apprehension of death. Considering the same, the custodial interrogation of the present applicant is not required however, some stringent conditions are required to be imposed on the present applicant. 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.307/2025 registered at Police Station Warud, District – Amravati for the offence punishable under Sections 115, 118(1), 3(5), 324(4), 333, 351(2), 351(3) and 352 of the Bhartiya Nyaya Sanhita, 2023, the applicant ***Praful S/o Ramesh Pawade*** shall be released on anticipatory bail on furnishing P. R. Bond in the sum of Rs. 25,000/- with one solvent surety in the like amount.

- c] The applicant shall not enter the village of Chinchargavhan or the vicinity of Warud Taluka, except for the purpose of attending proceedings before the Sessions Court.
- d] The applicant shall furnish his detailed address wherein he intending to reside along with the address proof.
- e] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.
- f] The applicant shall attend the proceedings before the Sessions Court without seeking any exemption unless there are exceptional circumstances.

Criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]