



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.499 OF 2025

(Pankaj w/o Wamanrav Ghule Vs. State of Maharashtra)

AND

CRIMINAL APPLICATION (ABA) NO.503 OF 2025

(Yash s/o Pankaj Ghule 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. P.R. Agrawal, Advocate for the applicants.
Mr. C.A. Lokhande, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JULY 24, 2025.

Apprehending the arrest at the hands of police in connection with Crime No.219/2025 registered with Police Station Khamgaon City, District Buldhana for the offence punishable under Sections 324(4), 324(5), 329(3) of the Bharatiya Nyaya Sanhita, 2023 and under Section 3 of the Prevention of Damage to Public Property Act, 1984, the applicants approached this Court for grant of pre-arrest bail.

2. Learned Counsel for the applicants who invited my attention towards the notice issued to the applicants on 18.06.2025 and the reply given by him to the said notice. He submitted that though the notice is addressed to the present applicants and the other family members, but the FIR is lodged against the unknown persons. He submitted that in fact, the said property belongs to the present applicants and the PWD

Department has no document to show that property belongs to them. Before receiving the reply to the notice, they have filed the FIR and that is also against the unknown persons. As far as the involvement of the present applicants in the alleged incident is concerned, no substantial material is collected, and therefore, the applicants be protected by granting anticipatory bail.

3. Learned APP strongly opposed the applications; however submitted that the applicants have attended concerned police station and cooperated with the investigating agency. He has also placed on record some seizure memos and submitted that the incriminating articles are already recovered from the present applicants and prays for rejection of the application.

4. On hearing both sides and on perusal of the investigation papers it reveals that the incriminating articles are already seized. They have already cooperated with the investigating agency. As far as the custodial interrogation of the present applicants is concerned which is not required. In view of that, both the applications deserve to be allowed. Accordingly, I proceed to pass the following order:

(i) Both the applications are allowed.

(ii) In the event of the arrest, the applicants namely - Pankaj w/o Wamanrav Ghule and Yash s/o Pankaj Ghule in

connection with Crime No.219/2025 registered with Police Station Khamgaon City, District Buldhana for the offence punishable under Sections 324(4), 324(5), 329(3) of the Bharatiya Nyaya Sanhita, 2023 and under Section 3 of the Prevention of Damage to Public Property Act, 1984, be released on anticipatory bail, on executing P.R. Bond in the sum of Rs.25,000/- each with one solvent surety each in the like amount.

(iii) The applicants shall attend the concerned police station once in a week i.e. on every Monday between 10.00 a.m. and 01.00 p.m., till filing of the charge-sheet and shall cooperate with the investigating agency.

(iv) The applicants shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.

5. The contravention of any of the condition would lead to the cancellation of bail.

6. Both the applications stand disposed of.

(URMILA JOSHI-PHALKE, J.)