



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

CRIMINAL APPLICATION (BA) NO. 860 OF 2025

Satish Deolal Daberao and another 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. Z.Z. Haq, counsel for applicants.

Ms. T.H. Udeshi, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 26/08/2025.

1. The applicants came to be arrested on 04/06/2025 in connection with Crime No. 281 of 2025 registered at Police Station Balapur, Tq. Balapur, District Akola for the offence punishable under Sections 109, 352, 351(2), 351(3), 333, 74, 324(4), 189(2), 189(4), 191(2), 191(3), 190 and 115(2) of the Bhartiya Nyaya Sanhita, 2023.

2. The crime is registered on the basis of a report lodged by Sau Sindhu Vishwas Damodar on an allegation that the crime was registered against Ajay Pandurang Solanke and 7 to 8 unnamed persons of Balapur Police Station. As per the allegations, she resides with her husband, Vishwas Damodar, and her children, namely, Anand, Milind, and Aakash Vishwas Damodar. The complainant, is doing agricultural work, and her daughter Preeti Gawai visiting her home for 8 days. On 03/06/2025, at about 1:00 to 1:30 a.m. at midnight, the

complainant, her husband, daughter-in-law Sanjivani, and daughter Preeti were sleeping at their house. At that time, the complainant heard a noise and commotion outside the house and also heard somebody knocking on the door, and therefore, all of them woke up from their sleep. The complainant further stated that, when she opened the door, she saw Ajay Pandurang Solanke and 7 to 8 other persons whom she recognized by their faces. All these people were aged between 25 to 35 years, holding iron pipes, swords, and various weapons in their hands, and then assaulted them as well as other prosecution witnesses. Ajay Solanke entered in the house and introduced himself by stating his name. Thereafter, he didn't allow them to leave. Despite her attempts to console them, they assaulted her, resulting in injuries. It is further alleged that one of them pulled off her saree and blouse, outraging her modesty. On the basis of the said report, police have registered the crime against the present applicant as well as the other co-accused.

3. Heard learned counsel for the applicants, who submitted that both the applicants are not named in the FIR. During the investigation, the applicants were arrested based on cross-complaints filed against the informant and other family members. He submitted that no overt-act is attributed to them, as

far as the further incarceration is concerned, which is not required.

4. Learned APP strongly opposed the said application on the ground that during investigation the involvement of the present applicants reveals. She also invited my attention towards the various statements of the witnesses and submitted that considering the involvement of the present applicants, the bail application deserves to be rejected.

5. On hearing both sides and on perusal of the investigation papers, it reveals that the name of the present applicants is not mentioned, and the statements of the witnesses nowhere attribute any specific role to the present applicants. Their clothes, though seized, were not found to have any blood stains on them. Now, the investigation is already completed, though charge-sheet is not filed, in view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order.

ORDER

- a] The criminal application is allowed.
- b] The applicants – (1) ***Satish Deolal Daberao*** (2) ***Mangalsingh Sunil Solanke*** shall be released on bail in connection with Crime No. 281 of 2025 registered at Balapur Police Station for the offence punishable under

Sections 109, 352, 351(2), 351(3), 333, 74, 324(4), 189(2), 189(4), 191(2), 191(3), 190 and 115(2) of the Bhartiya Nyaya Sanhita, 2023, on executing P.R. Bond of Rs. 25,000/- each with one solvent surety in the like amount.

- c] The applicants shall attend the proceedings before the trial Court without seeking any exemption unless there are exceptional circumstances.
- d] The applicants shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.
- e] The applicants shall not indulge in similar type of the activities, and a single registration of the offence would lead to the cancellation of bail.

The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]