



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

CRIMINAL APPLICATION(ABA) NO. 752 OF 2025
Manoj @ Pintu Wadguji Satpute Vs. State of Maharashtra

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. A.M.Chandekar, counsel for the applicant.
Mr. C.A.Lokhande, APP for the State.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 15/12/2025

1. The applicant is apprehending his arrest in connection with Crime No. 146/2025 registered with Police Station Shegaon, district Chandrapur for the offence punishable under Sections 115(2), 117(2), 118(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. On 28.08.2025, one Balaji Modak has lodged a report stating that the applicant is the neighbour of the parents of the informant and he used to pick-up quarrels in respect of the cultivation of the field. On 22.08.2025, while the informant was present at his parents' house, he has asked his servant Shrikrushna Gajbhiye to worship the bullock on the day of Pola from the hands of his mother, who resides in the old house at village Pachgaon. At the relevant time the informant had heard a noise from their old house. The informant visited their old house and found that the

applicant was beating his mother by bamboo stick on her right shoulder, due to which she had fallen on the ground. The informant and his servant tried to pacify the dispute. However, the applicant and his brother have scolded them in abusive language and also beaten the servant of the informant by a stick. After the intervention of the informant, the applicant and his brother Yajman have left the spot. The informant has taken his mother at the Police Station for lodging the report as she was not able to make the movements, she was referred to the hospital. Thereafter the complaint was lodged.

3. The learned counsel for the applicant has stated that there is delay of six days in lodging the complaint. Earlier complaint was lodged by the applicant and the N.C was registered for the same offence. Though the offence under Section 118(2) is registered, the weapon which is used by the applicant is bamboo stick. He has relied on the judgment of this Court in the case of ***Ms.Nasreen Anjuman Gulam Rasool Shaikh Vs. The state of Maharashtra*** (Anticipatory Bail Application No.1679 of 2023), wherein it is observed that 'bamboo stick' is not an instrument or weapon as specified under Section 326 of the Indian Penal Code and therefore, the offence under Section 326 of the Indian Penal is not made out. The applicant has stated that he is ready to abide by the conditions imposed. One of the other co accused is already released on bail and one is granted anticipatory bail

by this Court. The applicant is ready to produce the bamboo stick. Hence, prayed to protect him by granting anticipatory bail.

4. The learned APP has opposed the application stating that the applicant has assaulted an old lady, who is 70 years of age. The medical report shows that she was having grievous injury as she was unable to move therefore there is delay in lodging FIR. Hence, prayed to reject the application.

5. Heard both the sides and perused the record.

6. The allegations about the assault by bamboo Stick on old aged lady, who is 70 years of age. She had injury on her shoulder and was hospitalized. The medical report shows that there is fracture. Considering the injury caused to the injured and though the assault was with bamboo stick, it was with intention to cause grievous hurt. Considering the age of the lady, the explanation for delay given by the complainant in lodging the FIR. Though there is earlier N.C, as the assault was on old aged lady by entering in her house, the custody of this applicant is necessary. Hence, the application stands rejected and disposed of.

JUDGE