



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

CRIMINAL APPLICATION(BA) NO. 1321 OF 2025

Ishwar Mahadev Deshmukh 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.Sanket Joshi, counsel for the applicant.
Mr. N.R.Rode,APP for the State.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 19/12/2025

1) The applicant is arrested in connection with Crime No.623/2025 for the offence punishable under Sections 352, 118(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2) It is alleged that the quarrel took place between the two families on the ground of parking of tractor. The counter First Information Reports are there. The allegations are made that this applicant along with other co-accused assaulted the complainant and his family members. The counter First Information Reports are lodged against each other. The learned counsel for the applicant has stated that the name of this applicant, who is 80 years of age is not in First Information Report. The specific role is not mentioned.

Only because he was present there, the applicant is arrested. Considering his age prayed to release him on bail.

3) The learned APP has opposed the said application stating that offence under Section 109 of the Bharatiya Nyaya Sanhita, 2023 is already added as the iron rod and the wooden sticks are used in the said crime and the First Information Report is registered against the complainant. Though , the investigation is completed, the charge-sheet is not filed, prayed to reject the application.

4) Head both the sides and perused the record.

5) The applicant, who is 80 years of age, he has not denied the presence as the quarrel is between all family members. The role was not attributed at the time of lodging the FIR against this applicant. One of the witness has stated that he has used wooden stick and assault by wooden stick is there. Considering the age of this applicant and as the name of this applicant is not mentioned in the First Information Report, the applicant deserves to be released on bail. Hence, the following order.

i) Criminal application is allowed.

ii) Applicant- Ishwar Mahadev Deshmukh be released on bail in Crime No. Crime No.623/2025 for the offence punishable under Sections 352, 118(1) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 on his furnishing P.R.

Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one surety in the like amount.

iii] The applicant shall not in any way tamper with the prosecution evidence.

iv] The applicant shall not pressurize or threaten the prosecution witnesses.

v] The applicant shall co-operate the investigation officer.

6. The Criminal Application stands **disposed of** accordingly.

7. Pending application/s if any, is/are stand/s disposed of.

JUDGE