



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

CRIMINAL APPLICATION(BA) NO. 1299 OF 2025

Ganesh Shivram Ukey 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. R.M.Patwardhan, counsel for the applicant.
Mr.N.R.Rode,APP for the State.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 18/12/2025

1. The applicant is arrested in connection with Crime No.489/2025 registered with the Non-applicant police station Tiroda district Gondia for the offence punishable u/s 109(1), 115(2) and 352 of Bharatiya Nyaya Sanhita, 2023.

2. It is the case of the prosecution that the applicant and complainant are neighbours. The first informant has started constructions work of his house. On 04.06.2025. at about 10.30 am the labours were fixing the centering and the angle was titled 6 inches towards the courtyard of the house of the applicant and the complainant is alleged to have informed the applicant that, area of 10 inches belongs

to him and only 6 inches are utilized for centering. However, applicant is alleged to have objected to the said work and on that point, there was quarrel between both of them and the applicant started beating the complainant and in order to intervene and separate the quarrel, son of complainant namely Yugal Bawanhade came on the spot and the applicant is alleged to have assaulted him on the head with the help of wooden log and as a result of the same, Yugal suffered injury and was taken to the hospital for treatment. On the basis of complaint, the crime is registered against his applicant.

3. The learned counsel for the applicant has stated that the complainant has outraged the modesty of the wife of the applicant. A quarrel took place and in the said quarrel, the assault was there. The complaint was lodged by this applicant and crime is registered against the complainant and his family members. Three persons in this crime are protected by granting anticipatory bail by this Court. As the complainant was having bleeding injury and he was in hospital, the applicant was taken in custody. The learned counsel for applicant has pointed out that the injury report shows that there was one injury which was grievous and two other injuries were simple in nature. The complainant was discharged from the hospital on the next day. The

applicant is ready to abide by all the conditions imposed by this Court. Hence, prayed to release him on bail.

4. Learned APP has opposed the application and stated that the wooden log is used and the assault was on head which is vital part. The injury certificate shows that it was grievous hurt. Considering the nature of the offence prayed to reject the application.

5. Heard both the sides and perused the record.

6. It appears that the applicant and the complainant are the neighbours and dispute arose between both of them. First Information Report is registered against the complainant and his family members and all of them were released on anticipatory bail. Though one of the injury is grievous, now the injured is discharged from the hospital and the wooden log is also seized at the time of the spot panchnama. As the investigation is completed and the charge-sheet is filed, further custody of this applicant is not required. Hence, the applicant needs to be released on bail. Accordingly, I pass the following order:

- i) The Criminal application is allowed.
- ii) Applicant – Ganesh Shivram Ukey be released on bail in connection with Crime No.489/2025 registered with

the Non-applicant police station Tiroda district Gondia for the offence punishable under Sections 109(1), 115(2) and 352 of Bharatiya Nyaya Sanhita, 2023., on his furnishing PR. Bond in the sum of Rs.50,000/- (Rupees Fifty Thousand only) with solvent surety in the like amount before the trial Court.

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 learned trial judge in the conduct of the trial.

vi] The applicant to stay away from the area, where the complainant is staying.

7. The Criminal Application stands disposed of accordingly.

8. Pending application/s if any, is are disposed stands disposed of.

JUDGE