



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

**CRIMINAL APPLICATION (BA) NO. 310 OF 2025**

( Vivek S/o Ishulal Tandekar

**Vs.**

State of Maharashtra, Thr. PSO., Police Station Mankapur,  
Dist. Nagpur )

|                                                                                                           |                           |
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| Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders | Court's or Judge's orders |
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Mr. C.R. Thakur, Advocate for the Applicant.  
Mr. A.M. Ghogare, APP for the Non-applicant/State.

**CORAM: URMILA JOSHI-PHALKE, J.**

**DATED : 4<sup>th</sup> AUGUST, 2025**

1. The Applicant came to be arrested on 11.11.2024, in connection with Crime No. 505/2024 registered with Police Station Mankapur, Nagpur City for the offence punishable under Sections 109, 351(3), 352 of the Bhartiya Nyaya Sanhita, 2023.

2. The crime is registered on the basis of the report lodged by the Informant on an allegation that on 10.11.2024 at about 8.45 p.m., the present Applicant came to the house of the Informant's parent under the influence of liquor. He abused and gave threats to the Informant. Informant's younger sister called the Police. The Police came and thereafter the report was lodged to the Police Station. When the Informant alongwith her father and sister Pratiksha were going towards the Police Station by Activa vehicle, the present

Applicant came from backside by motorcycle and gave dash to the Acura vehicle from backside. The present Applicant assaulted Informant's father by Axe on backside of head. In the said incident the Informant has also sustained the injuries. On the basis of the said report Police have registered the crime against the present Applicant.

3. Heard learned Counsel for the Applicant who submitted that due to the previous dispute the alleged offence has taken place. Now, investigation is already completed, charge-sheet is already filed further incarceration of the present Applicant is not required and the injured are already discharged from the Hospital and there is no apprehension as to the death. In view of that the Application deserves to be allowed.

4. Learned APP, strongly opposed the said application on the ground that considering the injuries sustained by the injured i.e. the father of the Informant which is grievous in nature, if the Applicant is released on bail there is every apprehension of repetition of the said incident. In view of that, the Application deserves to be rejected.

5. On hearing both the sides and on perusal of the investigation papers it reveals that, due to the previous dispute the alleged incident has taken place. Admittedly, one of the injured has sustained simple injury and the father of the Informant has sustained grievous injuries. However, there is no apprehension as to the death, investigation is also completed and the injured are already discharged from the

Hospital. Considering all these aspects the Application of the present Applicant deserves to be allowed by imposing certain conditions. Accordingly, I proceed to pass the following order.

### **ORDER**

- i. The Application is **allowed**.
- ii. The Applicant – Vivek S/o Ishulal Tandekar in connection with Crime No.505/2024 registered with Police Station Mankapur, Nagpur City for the offence punishable under Sections 109, 351(3), 352 of the Bhartiya Nyaya Sanhita, 2023, be released on bail, on executing P.R. Bond in the sum of Rs.25,000/- (Rs. Twenty Five Thousand) with one solvent surety in the like amount.
- iii. The Applicant shall not leave the jurisdiction of the Mankapur Police Station till the culmination of the trial.
- iv. The Applicant shall furnish his detail address alongwith his address proof where he is intending to reside.
- v. The Applicant 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.

**vi.** The Applicant shall attend the proceedings before the Trial Court without seeking any exemption unless there are exceptional circumstances.

**6.** Pending application/s, if any, shall stand disposed of accordingly.

**(URMILA JOSHI-PHALKE, J.)**

*SD. Bhimte*