



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

CRIMINAL APPLICATION (APPP) NO. 1299 OF 2025
WITH
CRIMINAL APPLICATION (BA) NO. 637 OF 2025

(Rushabh s/o Anil Salve

Vs.

State of Maharashtra, Thr. PSO. Police Station, Buldhana City,
 Tah & Dist. Buldhana)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Mr. S.V. Sirpurkar, Advocate for the Applicant.

Ms. Trupti Udeshi, APP for the Non-applicant/State.

Mr. A.J. Thakkar, Advocate for the Complainant (Assist to Prosecution).

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 7th JULY, 2025

1. By this Application, the original complainant is seeking permission to engage Counsel to assist the prosecution. In view of the reasons mentioned in the Application, permission is granted.

2. The Application is **disposed** of.

CRIMINAL APPLICATION (BA) NO. 637 OF 2025

1. The Applicant came to be arrested on 13.02.2025, in connection with Crime No. 118/2025 registered with Police Station Buldhana City, Buldhana for the offence punishable

under Sections 109, 125(a), 351(2), 3(5) of Bhartiya Nyaya Sanhita, 2023.

2. The crime is registered on the basis of the report lodged by Chetan Rajkumarsingh Thakur, on an allegation that on 07.02.2025 at about 09.00 to 09.30 p.m., there was exchange of words between the injured and co-accused, and the co-accused Aman has assaulted the injured by means of knife on his abdomen, due to which he has sustained the injuries. As far as the present Applicant is concerned, only allegation is that he asked the informant not to interfere in the quarrel and thereafter throwing of stone towards the injured, due to which the knife which was snatched from the other co-accused was thrown away. On the basis of the said report, Police have registered the said crime against the present Applicant.

3. Heard learned Counsel for the Applicant, who submitted that considering the limited role attributed to the present Applicant he has not given any blow to the injured but he has only restrained the informant from interfering in the quarrel. As far as throwing of the stone is concerned, no injuries are caused to the injured by the said stone. Now, the investigation is already completed, charge-sheet is already filed, further incarceration of the present Applicant is not required.

4. Learned APP for the Non-applicant No.1/State and learned Counsel for the Non-applicant No.2/Complainant, strongly opposed the application on the ground that the

present Applicant has involved the other co-accused in commission of the crime. In view of that, the Application deserves to be rejected.

5. On hearing both the sides and on perusal of the investigation papers, a limited role is attributed to the present Applicant. As far as throwing of stone is concerned, due to which the knife which was in the hands of the injured snatched by him from the other co-accused and was thrown away. Thus, considering the role attributed to the present Applicant and considering the fact that now the investigation is already completed and charge-sheet is filed, further incarceration of the present Applicant is not required. In view of that, the Application deserves to be allowed. Accordingly, I proceed to pass the following order.

ORDER

- i. The Application is **allowed**.
- ii. The Applicant – Rushabh s/o Anil Salve in connection with Crime No.118/2025 registered with Police Station Buldhana City, Buldhana for the offence punishable under Sections 109, 125(a), 351(2), 3(5) of Bhartiya Nyaya Sanhita, 2023, be released on bail, on executing PR. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

- iii. The Applicant shall attend the proceedings before the Trial Court without seeking any exemption unless there are exceptional circumstances.
 - iv. 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.
6. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)