



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

CRIMINAL APPLICATION (BA) NO. 794 OF 2025

(Ajay Alias Dadu Mohan Nandapure

Vs.

State of Maharashtra, Thr. PSO, P.S. Washim, Dist. Washim)

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. M.N. Ali, Advocate for the Applicant.
Mr. M.J. Khan, APP for the Non-applicant/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 4th AUGUST, 2025

1. The Applicant came to be arrested on 14.03.2025, in connection with Crime No.337/2025 registered with Police Station Washim, District Washim for the offence punishable under Section 109 of the Bhartiya Nyaya Sanhita, 2023.

2. The crime is registered on the basis of the report lodged by Vinod @ Dhananjay Baban Khandalekar alleging that he is residing at given address alongwith his family. On 14.03.2025 at around 04.00 p.m., when he was present at his house after taking his lunch his friend's son namely Lokesh Langad came running to the house of the Complainant and informed that son of the Complainant namely Om Khandalekar has been assaulted by the present Applicant and has sustained the injury. He immediately rushed to the spot of incident and tried to intervene, however, he was also assaulted and the other person who tried to intervene was

also assaulted. 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 as far as the injured namely Vinod @ Dhananjay is concerned, who has sustained the simple injuries, Ravindra has sustained one grievous injury, whereas Raju has also sustained grievous injuries. However, they are discharged from the Hospital and there is no apprehension of death, investigation is already completed charge-sheet is already filed, further incarceration of the present Applicant is not required.

4. Learned APP, strongly opposed the said application and submitted that the present Applicant has not only assaulted the son of the Informant but also assaulted the interveners who tried to pacify the quarrel. Thus, the conduct of the present Applicant has to be seen. Though investigation is completed but considering the nature and the circumstances under which the alleged incident has taken place, the Application deserves to be rejected.

5. On hearing both the sides and on perusal of the investigation papers it reveals that, admittedly the son of the Informant was assaulted for a trifle reason by the present Applicant and when the said quarrel was intervened by the interveners they were also assaulted. The Applicant was prepared and was carrying the weapon like cutter in his hand. The certificates also shows that one of the witness i.e. Vinod @ Dhananjay has sustained simple injuries but other two

witnesses has sustained grievous injuries on the vital part of the body. As far as the involvement of the present Applicant is concerned, which reveals from the investigation papers but considering the fact that now investigation is already completed charge-sheet is already 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 – Ajay Alias Dadu Mohan Nandapure in connection with Crime No.337/2025 registered with Police Station Washim, District Washim for the offence punishable under Section 109 of the Bhartiya Nyaya Sanhita, 2023, be released on bail, on executing P.R. Bond in the sum of Rs.50,000/- (Rs. Fifty Thousand) with one solvent surety in the like amount.
- iii. The Applicant shall not enter into the vicinity of Village Khamgaon Jin, District Washim till culmination of the trial.
- 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.

- v. 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